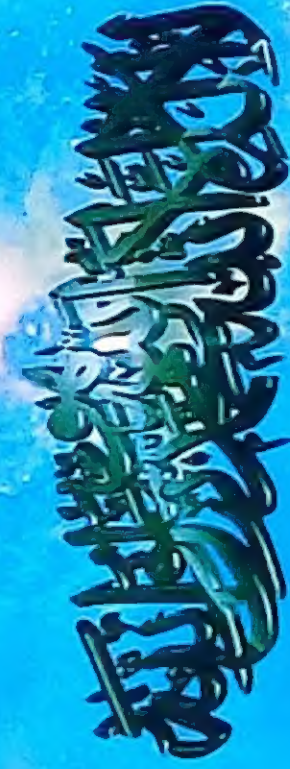


# System of Modesty and Chastity in Islam



Maulvi Mohammad Zafeeruddin

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Maulvi Mohammad Zafeeruddin



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## CONTENTS

Introduction .....	15
Preface .....	17
The Mercy of God .....	19
A System for the Human Race .....	20
<b>The Condition of Women before Islam and the ruin of their Modesty and Chastity.....</b>	<b>20</b>
Injustice and oppression against women .....	21
Marriage system of pre-Islamic Days .....	22
Conditions of women in non-Arab Lands .....	23
Value of Modesty under the Hindu Laws .....	24
The Christian Law .....	26
Expressions in Usage about women .....	26
Evaluation of Married life in Religions other than Islam .....	27
<b>The Struggle of Islam for the Feminine Rights .....</b>	<b>27</b>
Declaration of the social status of woman .....	28
Purpose of Female creation .....	29
Prevention of Innocent Murders .....	30
Inducement of Good treatment to daughters .....	31
Women's share in the Legacies .....	32
Rights of Legacy as a mother .....	33
Rights of Legacy as a wife .....	34
Respect of a woman as a mother .....	35
Protection of the Modesty and Chastity of Women in Islam .....	36
End of Inhuman practices .....	36

Fornication (Zina) and its evils.....	37
Advice of the Holy Prophet (ﷺ) to a young man.....	39
Adultery is fighting with pivotal power of universe .....	41
Pledge on strict Chastity .....	41
Adultery, A big injustice.....	42
After polytheism, adultery is biggest sin.....	43
The wrath of God.....	44
Adultery, the worst tyranny on earth.....	45
Perdition due to adultery and rape .....	47
<b>Result of Ignoring the Teaching of Islam</b> .....	48
The results of adultery and rape in USA .....	49
Adultery and rape in United Kingdom.....	50
Adultery and rape in France.....	51
<b>Protection of Modesty and Chastity and the Institution of Marriage in Islam</b> .....	52
Protection and Multiplication of race.....	53
Marriage-An Established way of Prophets .....	54
Social status of unmarried person .....	55
Celibacy undesirable in Islam.....	55
Status of a Pious woman .....	56
Merits of a Good woman include life of Prosperity .....	57
Fear of Poverty baseless .....	58
Interpretation put by companions on the above verse and their reaction .....	58
Importance of marriage in Islam.....	59
Circumstances warranting Celibacy .....	60

<b>Dangers and Harms attendant on Celibacy</b> .....	60
Broad aims of marriage .....	61
Retention and ejection of the Human Semen.....	61
Waywardness and inclination to adultery .....	61
Moderation in Sex.....	63
Adoption of unlawful ways of Sexual satisfaction .....	63
Collective Advantages of Marriage.....	64
Lawful marriage in the sight of World Thinkers .....	64
<b>Aims of marriage - Modesty and Chastity</b> .....	66
Conditions of lawful marriage.....	66
Acquisition of Chastity .....	67
Divorce .....	68
Mutual love and regards.....	69
Western marriage and courtship .....	70
<b>Importance of Modesty and Chastity in Islam</b> .....	71
Chastity an essential part of Prophethood .....	72
The status of self-purity.....	74
Valuable sayings of the Holy Prophet (ﷺ) regarding chastity.....	75
Spirit of Chastity among Companions.....	77
Holy Prophet's (ﷺ) Prayer for the safeguard of Chastity .....	78
Nature of Divine Chastisement for the unchaste persons.....	79



<b>Role of Polygamy in the maintenance of Modesty and Chastity</b> .....	80
Justice compulsory for polygamy.....	81
Rules of equity among co-wives.....	81
Law of polygamy and the critics.....	82
Admission of Islamic Truth by European.....	82
An eye-opening incident.....	83
Results of deviation from Divine Law.....	84
Admission of Truth by Hindus.....	85
Justice and equity among wives.....	85
More than four wives not allowed.....	86
<b>Choice and obligations in matters of Marriage</b> .....	87
Right of selection.....	87
Extirpation of tyranny and oppression.....	87
Counsels of the Holy Prophet (ﷺ).....	88
Dissolution of marriage without consent.....	89
Role of Father, Guardian.....	90
Views of famous Muslim Scholars.....	91
Right of choice for Men.....	92
Prophetic Counsel in the selection of Bride.....	92
Points of preference in selection of a Bride.....	94
Marriage with Widows.....	95
<b>Sighting the person of a woman before marriage</b> .....	96

<b>Responsibility of Parents towards Boys and Girls on attaining puberty</b> .....	99
Emphasis on Marriage after puberty.....	99
Burden of marriage on father.....	100
Importance of marriage & its stability.....	100
Problem of Equity.....	102
Equity grounds of family lines.....	103
Declaration of marriage bonds.....	105
Necessity of open declaration of marriage.....	106
Publicity of marriage through marriage feast.....	107
Invitation to marriage feast to be accepted.....	108
<b>Freedom to enjoy lawful sex</b> .....	108
Limited prohibition during a year.....	109
During monthly course and family way.....	110
Decent and Laconic description of sexual relations.....	111
Why Sodomy is forbidden.....	112
Love and kindness between husband and wife.....	113
Undue indulgence and love with wife and children.....	114
<b>The Rights &amp; duties of a Muslim Husband</b> .....	115
Modern research on female psychology.....	118
Nervous system in females.....	118
Good points and virtues of women.....	119
Harshness and tyranny forbidden.....	119
Sentiments verses cool thinking.....	120



<b>Advice of the Holy Prophet (ﷺ)</b>	
regarding women.....	121
Instructions about women in the last sermon of the Holy Prophet (ﷺ) .....	122
Emancipation from mal-treatment.....	123
Holy Prophet's (ﷺ)	
own precedent.....	124
Companions love for their families.....	125
Protection of the rights of wives.....	127
Husbands bound to be neat and clean .....	128
Provision of washing and cleaning articles .....	128
Expression of sympathy in moments of calamity .....	129
Regard for physical demands and sentiment.....	130
Trust & confidence in the wives .....	131
Maintenance of wives.....	132
Arrangements & quantum of maintenance .....	133
Holy Prophet's (ﷺ) system of family maintenance.....	133
Standing permission for the wife to see her parents or visit them .....	134
Difference between Husband & wife.....	134
<b>The Rights and Obligations of Wife</b> .....	135
Authority of the Household .....	136
Status of man under modern research .....	137
Brain & brain power of females.....	138
Equality of rights.....	138
A wise quotation.....	139

Women must be consulted.....	139
Family relations in modern society.....	140
Duties of Pious women include	
Husband's respect .....	140
Good pleasure of the husband.....	142
Obedience in matters of sex.....	143
Good marital relations in the golden era.....	144
Events of mutual marital love .....	144
Marital life of women companions.....	145
Service and hard labour in house-hold .....	146
Obstinacy & arrogance.....	146
<b>Rules necessary to guard Chastity</b> .....	147
Discord between Husband & wife - pleasure of devil.....	147
Legal provisions for amicable separation.....	148
The Law of Khula'a in Islam .....	150
Exercise of "Khul'a" during the Prophetic era.....	150
Case of a missing Husband .....	152
<b>The Islamic Law of Divorce &amp; Protection of Modesty and Chastity</b> .....	152
Law of divorce in the Jews.....	153
Law of divorce among Christians .....	153
Reformation in law of divorce/ Royal Commission .....	154
Baneful effects of man-made laws.. ..	155
Pre-Islamic law of divorce .....	155
Islamic law of divorce .....	156
Operation of the Law of Divorce.....	156



Procedure when wife is accused by Husband .....	157
<b>Necessary factors for protection of Chastity</b> .....	158
Shyness and Modesty .....	158
Sense of Modesty in Islam .....	160
Immoral boldness of the eyes .....	161
Injunctions for women .....	162
Women must protect their eyes .....	164
Trouble arising from sight .....	165
Advice to lower the looks .....	166
Advantages of casting down looks .....	168
Particular address to women .....	168
Contact only behind a curtain .....	170
Mixed society harmful .....	171
Need for differentiation of good and bad .....	172
Distinctive dress for chaste women .....	173
Conditions for outdoor activity of Muslim women .....	174
Not to display adornments .....	175
Exit prohibited if perfumed .....	176
Women to avoid thorough farers .....	177
No softness in speech .....	178
Male exceptions for display of adornments .....	178
Eunuchs & grown-up boys not allowed .....	180
Close male relatives of Husband forbidden .....	180
No male to see a woman alone .....	180

Avoid meeting women whose Husbands are not at home .....	181
Modern research on human psychology .....	181
Consequences of freedom of Roman women .....	182
Divine law on veil appreciated by European thinkers .....	183
Responsibility of our society .....	185
Emancipation of women against their own interest .....	185
Women freedom dangerous for social order .....	186
Latitude to ladies ruinous .....	186
Veil does not weaken nervous system .....	187
Veil only sure protection of Chastity .....	188
Effective precaution to protect Chastity .....	188
Protection of family honour when on Travel .....	188
Protection of the honour of fighters in the cause of Islam .....	191
<b>Islamic Rules for seeking permission for to Houses and Private chambers</b> .....	191
Entry into residential houses .....	191
Correct way of seeking permission .....	193
Peeping into houses forbidden .....	194
Popular name must be told before seeking permission .....	195
Permission for admission also necessary for close female relatives .....	195

Seek permission even from mother .....	196
Practice of the pious old people.....	196
Indifference to rules of Modesty.....	197
Special permission necessary at specific times of day and night.....	197
Minor boys to seek permission on attaining majority .....	199
Parts of the body normally displayed.....	199
Spirit of the order is to conceal the face .....	200
Ibn-e-Arabi writes .....	201
Very fine clothes forbidden.....	201
<b>Enemies of high moral values ( Modesty and Chastity) in the Estimate of Islam.....</b>	<b>202</b>
Defamation & slander punishable in Islam .....	203
Respect and honour of a Muslim .....	205
Nature of punishment in Islam.....	205
Penalty of culprits of adultery/ fornication.....	206
The confinement for unchaste women.....	207
Penalty of stoning to death .....	208
The authenticity of Rajam (stoning).....	209
The Modus operandi of "Rajam" .....	210
Forced rape of a woman.....	211
The case of an insane person .....	212
<b>The Curse of Sodomy &amp; Homosexuality .....</b>	<b>213</b>
Homosexuality .....	214
Homosexuality after the people of Sodom .....	216

<b>Views of Islam on Homosexuality .....</b>	<b>217</b>
An intelligent review of Homosexuality .....	217
Penalty for Homosexuality culprits .....	218
An event during the age of the Prophet's (ﷺ) companions.....	219
Devices to avoid tendency to Homosexuality .....	220
Lying of two male persons in one bed forbidden .....	220



## INTRODUCTION

Modesty and chastity are the ornaments of the crown of true humanity. This is a pearl which, if properly appreciated and valued, would uphold the dignity and prestige of humanity. An attitude of in-difference and ignorance of its value would debase the very foundations of human dignity and honour.

Islam has taken pains to bring home the value of modesty and chastity like other virtues and values of good conduct and good character. It has tried to inculcate in its followers and students the fundamental truth about the high value of modesty and chastity in different ways and through different angles. As a great valuable gift for humanity it has given to mankind a detailed and perfect law for the protection and defence of modesty and chastity.

Unfortunately material progress has removed the human race from moral and spiritual values of life with the result that good and virtuous conduct of life has become unworthy and the world is sinking fast into depths of sinful recesses.

Under the changed circumstances of modern life, the necessity has become evident and prominent that Islamic Law of modesty and chastity may be presented in a self-contained compilation which this book seeks to achieve. It may urge thinking minds to revert to the valuable moral and spiritual system of life as brought out by Islam. It may tear cut the thick curtains of indifference and quicken in man the much needed wakefulness to discern between goodness and evil.



Maulana Mohammad Zafeeruddin has realised the crying necessity of compiling a detailed book on the Islamic Law of modesty and chastity.

Abul Ma'asir Habib-ur-Rehman Al-Azami

## PREFACE

It was in 1951 that I began to write an Essay under the caption Islamic system of Modesty and Chastity in Urdu which was published in the monthly journal "BURHAN" in instalments from Delhi. Many elderly scholars including my teachers sent me letters of appreciation and thus encouraged me to continue writing. Maulana Manazir Ahsan Gilani, Maulana Habib-ur-Rehman Azami and Mufti Atiq-ur-Rehman were largely responsible for my encouragement. Despite difficulties of my profession as a teacher, I continued my efforts till Maulana Gilani write to me that: "you are fulfilling a great need of our times by your brave research in the field and I would recommend that your various instalments of the Essay may be amalgamated and published in the form of a pamphlet so that it may become useful to readers for all time." I took the encouraging letter of Maulana Manazir Ahsan Gilani as a good omen for the publication of my articles into a consolidated booklet. Meanwhile a letter from Allama Maulana Syed Sulaiman Nadvi (Allah may have mercy on him) gave me a new impetus to accelerate my efforts into the form of a book or pamphlet. Syed Sulaiman Nadvi wrote: "I have learnt of your Essay on the "System of Modesty and Chastity which I feel is the need of our times. Whatever efforts you put in will be rewarded. Nowadays the most important thing which is facing ruin after "True Faith (Eiman)" is the standard of modesty and chastity in the society. To save the values of modesty is a crying requirement of our times. The sad



event of the death of Syed Sulaiman Nadvi took place on 23rd November 1953 at Karachi (Pakistan)

Taking courage in both hands I began compilation of my articles into a book and sent the script to Maulana Manazir Ahsan Gilani. He minutely read two third of my manuscript and made improvements in the text with his own pen. The remaining one third was also given a cursory glance and was returned to me with pieces of advice.

I am particularly indebted to Maulana Abdur Rehman whose education and training made me a man of some worth. I pray for him and pray for the usefulness of this book.

بِسْمِ الرَّحْمَنِ الرَّحِيمِ

*In the name of Allah, the*

*All-Compassionate the Most Merciful.*

*We praise Him and seek peace*

*for His respectable Apostle*

أَلْحَمْدُ لِلَّهِ وَكَفَى وَسَلَامٌ عَلَى عِبَادِهِ الَّذِينَ أَصْطَفَى

Man is a combination of opposite forces. Good and evil, love and enmity, angelic and devilish qualities continue to make a man. One feature of distinction of man is that he is the vicegerent of God. The most honoured personalities who appeared on the face of the Earth, the Prophets and the Apostles, were all persons of the human race. Similarly the leaders of vice and evil conduct persons like Haaman, Shaddad, Pharaoh and Namrod, were also sons of Adam.

### The Mercy of God:

Praise in abundance is due to Allah whose eternal mercy has, through ages of history, transformed evil into good and disturbance into peace. With this purpose, He sent His last Prophet Muhammad (ﷺ) to be a universal mercy for the creation. As a Devines' gift, He gave to mankind a constitution of life for all ages in the form of the Holy Qur'an in which He clearly transferred His favour: "Today I have completed your religion and accomplished My favours on you (mankind) and are pleased to see you adopt Islam as your religion." No side of human life has been left without proper instructions for good conduct.

### A system for the Human Race:

For the survival of the human race on Earth, God has, in His infinite wisdom, created man in Pairs of male and female who have great attraction to each other. So much so that each considers the opposite sex to be a complimentary part of life without which life of each individual is incomplete. The natural affinity between the two sexes has, as in many other human departments of life, been allowed to exceed limits prescribed by the Divine's wisdom. The excess of sexual hunger and its gratification beyond the prescribed limits of lawful marriage, gave rise to troubles in human society which ultimately ended in the annihilation of many a prosperous and developed nations in the past.

Islam has made extra-ordinary efforts to bring human beings to the natural limits of sexual life and stick to the golden means in matters of sex. Islam gives a code of life circumscribing all branches of human life including the matrimonial relations. We shall make an effort in the subsequent pages to present various details of the Divine's code of life for mankind as revealed by the great Creator and Sustainer of life who is always ready to help mankind to live a moderate, healthy and happy life in accordance with the pleasure of God.

### The condition of women before Islam and the ruin of their Modesty and Chastity:

Before the Islamic ideology of modesty and chastity and the Shar'at Law determining the limits of matrimonial life were brought out, the spirit and the peace of married

life had disappeared from the minds of the people. Modesty and chastity had no value with society.

### Injustice and oppression against women:

Everywhere in the world the women folks were subjected to injustice, insult and oppression and misbehaved like fierce animals. Treatment to women was nowhere fair and human even among the so-called developed and progressive nations. Like cattle and property women were bought and sold. The uncontrolled sexual desire of men forced women to live life of prostitutes. The illegal earning of women through illicit sex was also appreciated by the men. In the pre-Islamic days women were considered to be creation mid-way between humans and animal. Her duty was to produce the human race and to serve men folks in all possible ways. The birth of a daughter was considered to be an insult and they were buried alive. This shameful part of human activity is displayed by the Holy Qur'an in a most explicit way. The idea of the birth of a daughter agitated the mind of the father. The Holy Qur'an said:

إِذَا بُشِّرَ أَحَدُهُمْ بِالْأُنثَىٰ ظَلَّ وَجْهُهُ مُسْوَدًّا وَهُوَ كَظِيمٌ  
يَتَوَارَىٰ مِنَ الْقَوْمِ مِنْ سُوءِ مَا بُشِّرَبِهِ أَيُمْسِكُهُ عَلَىٰ هُونٍ أَمْ  
يَدُسُّهُ فِي التُّرَابِ - (النحل)

"When the birth of a girl is announced to one of them, his face grows dark and he is filled with inward gloom. Because of the bad news, he hides himself from men:



should he keep her with disgrace or bury her under the dust? How ill they judge." (S. 16: 58-59).

The working of the human mind without the light of Divine revelation before Islam was such that, on one hand people regarded angels to be the daughter of God or goddesses had been carved out by certain religions, and on the other hand, men were mentally upset to become fathers of girls. The Holy Qur'an has pointed out this dilemma in the following words:

"They ascribe daughters to Allah-glory be to Him! but they themselves would have what they desire. (S.16: V: 58)

Apart from vain sense of honour, people killed their children, particularly daughters for fear of means to support them and bring them up. Islam clarified this confusion and emphatically stated that it is God who sustains you and your children. The result of human prejudice against female progeny was the number of females decreased sharply. Women were to be had at very high expenses. Despite this, women were forced for illicit sex and to earn for their men. They were put to mortgage in Arabia

#### Marriage system of pre-Islamic Days:

It is narrated by Ummul-Mominin Hazrat Aisha Siddiquah (رضي الله عنها) that in the old pre-Islamic Arabia, marriage was celebrated in the following four ways:

- i) The normal way which is in use even now.
- ii) A man would ask his wife, after she was free from monthly course, to go to a particular highranking man and get her pregnancy from him so that this offspring may be of high lineage.
- iii) Another way of marriage was that men numbering less than ten came to a woman and had sexual intercourse with her. When pregnancy took place, she called all the ten who arrived and she named a particular man as the father of the child. He dared not deny his relationship with the child and was told to give him a name which he did.
- iv) Some women became prostitutes and had banners on their doors to attract men. Men came for illicit relations and there was no difficulty. When a child was born, face-reading was done by experts and they fixed the fatherly relationship of the child to a particular man who had to adopt the child as his son.

The Holy Prophet (ﷺ) stopped all the aforementioned illegal and indecent forms of marriages. It is clear from the above narration that modesty, decency and chastity were unknown among women of pre-Islamic days.

#### Conditions of women in non-Arab Lands:

People in non-Arab countries were equally alien to the sense of decency, modesty and chastity. Dr. Gastawli Ban writes about the Greeks: "The Greeks regarded women to be a creation of lower order than men. If a

woman gave birth to a child without legal sanctity, the child was killed. In Sparta, a woman who had no hope of bearing a son (to become a soldier), she was killed. Women were lent out to bear goodly sons.

The Greeks never had any respect for a woman. In the Old Testament it is stated: "A man who is loved by God, he will save his skin from any woman. From among one thousand I have discovered one man as a beloved of God. But in the whole-world no one woman was discovered as a beloved of God.

In Rome, man had a coercive control over his wife. She had no say in social matters and her husband was the owner of her physical body.

In the Jewish Torah, chapter 25 it is prescribed that among two brothers living together, if one passes away, his wife must play the part of genuine wife for the surviving brothers - so that she begets him a son who will be attributed to the deceased brother. The Holy Book of Jews says: "A woman is more bitter than death."

#### Value of Modesty under the Hindu Laws:

The author of "Satiarth Parkash," Swami Dayanand Saraswati, has enumerated the following modes of marriage:-

- i) The bride and bridegroom who are completely virgin, well-versed in religious knowledge and well known for good character, they may join each other as man and wife. Such a marriage is called "Brahm."

- ii) In a big sacrifice gathering, daughter well decorated with ornaments may be given to the man whose performance in sacrifice is best. This is called "Dev."
- iii) To see off the daughter after getting money from the bridegroom is called "Arash."
- iv) Marriage consummating for the progress of the religion is called "Parja Pat."
- v) On payment of cash to the bride, the marriage is called "Aasur."
- vi) The meeting of man and woman with mutual consent without reference to any social law is called "Gahdhrab."
- vii) To win over a girl by force and coercion is called "Rakshash."
- viii) To have intercourse with a sleeping girl or girl who is senseless under spell of wines or narcotic, is called "Peshaj."

In ancient India it was common custom to have one wife for a few brothers. Among the Brahmans in India 'Neog' is well known mode of marriage in which father-in-law can order woman to have sexual intercourse with a brother of the husband to bear a child. In case of barren woman, the husband is free of the eight years of fruitless matrimony to have sexual relations with another married woman. A sick or impotent husband can permit his wife to have "Neog" with a male relation to bear a child.

About the person of a woman, the Hindu Law says: "A woman, as a creation, is worse than bad luck, worse than a flood, worse than death, worse than hell, worse



than poison and worse than a venomous snake. The Law of Hindu-law given by Maun says: "When minor, a woman is under her father, in her youth, she is under her husband, after her husband, she is dependent on her sons or her relatives, if she has no sons because a woman is unfit to live independently. Manu opinion about the chastity of a woman that 'it is sufficient to prove the absence of chastity of a woman that she remained with a stranger for a period equal to the time when egg can be fried.'

#### **The Chrstian Law:**

Turtalian who is religious leader of early Christianity, says: "A woman is the gateway through which Satan enters mind. she is the person who led to the forbidden fruit,. She is the person who ruined man." Karai Sostem, another Christian leader of opinion, says: "She is unavoidable evil. She is a born evil thought. She is a desirable source of ruin. She is a domestic danger, She is a perdition in beauty and a handsome trouble."

#### **Expressions in Usage about women:**

In different countries, expressions depicting the conduct and character of a woman are in use. They indicate the value attended to female sex: The Russian proverb says: "In ten women there is only one soul." The Italians say: "A horse may be good or bad, but needs pricking with horseman's toes. A woman may be good or bad, but she needs to be beaten." The Spanish proverb

runs: "It is necessary to avoid a bad woman; it is never good to rely on a handsome face."

#### **Evaluation of Married life in Religions other than Islam:**

Before Islam married life was considered to be a big prevention for the moral and spiritual life. Maulana Sulaiman Nadvi writes: "Before Islam all the ethical religions looked upon married life as a great hindrance for moral and spiritual progress. In India Buddhism, Vedanta, Yog and followers of Celibacy were all holders of this view. In the Christian religion Celibacy and freedom from sex was listed upon as the highest means to attain spiritual perfection.

#### **The Struggle of Islam for the Faminine Rights**

With the advent of Islam in the dark ages of humanity, the down-trodden and oppressed sections of society found courage to rise up for their genuine rights. The two extremes of life were brought to an end and the golden mean was adopted as the natural way of life. Every person, man or woman, was given his natural rights. It revived the value of the modesty and chastity of the female sex. It stopped illicit use of sex and closed all doors to female dishonour and fornication. It laid down rules for the moderation of sexual life. It introduced useful and pleasant ways of increasing the human race. It evolved a happy system of pleasant matrimonial life. A woman was now presented as a figure of love and mercy.

The system of Celibacy was discouraged and married life was preached as a blessing for the body and soul.

#### Declaration of the social status of woman:

The first open declaration of the rights of women was made in this Holy Qur'an in the following words:

يَا أَيُّهَا النَّاسُ اتَّقُوا رَبَّكُمُ الَّذِي خَلَقَكُمْ مِنْ نَفْسٍ وَاحِدَةٍ وَخَلَقَ مِنْهَا زَوْجَهَا وَبَثَّ مِنْهُمَا رِجَالًا كَثِيرًا وَنِسَاءً (النساء-1)

"O People! Fear your Lord Sustainer who created you from one single self and creation from that self its Consort, and from the couple (first man and first woman) He spread out large number of men and women." (S. 4: V- 1)

The above verse clearly states that man and woman are from one single source of life and there is no difference in the social status of the two. A woman is as much human as a man is. Both the sexes in fact supplement each other and the faculties of each fulfil the weaknesses of the other. Again the Holy Qur'an very clearly explains that both the sexes can be a source of pride for each other.

يَا أَيُّهَا النَّاسُ إِنَّا خَلَقْنَاكُمْ مِنْ ذَكَرٍ وَأُنْثَى وَجَعَلْنَاكُمْ شُعُوبًا وَقَبَائِلَ لِتَعَارَفُوا إِنَّ أَكْرَمَكُمْ عِنْدَ اللَّهِ أَتْقَاهُ (الحجرات-13)

"O people! We (Allah) has created you from one man and one woman and made you into clans and tribes so

that you are able to distinguish one set of people from another set of people (for social dealings). And the most respectable among you is one who is most pious and most God-fearing." (S. 49: V. 13).

The above verse calls for dispassionate reflection. No man can be born without the active participation of a woman. As such it is morbid thinking to consider man as respectable and to consider woman as disrespected. In the construction of the human body the role of a woman is actually greater than the role of a man. Think carefully how respectable a woman becomes when she conceives and keeps a human Foetus in her womb. Then the Foetus grows into an infant child with the blood of its mother. Then the mother gives birth to it. Then she feeds the infant child at her breasts for full two years. It is the constant sacrificial role of a woman (mother) which enables man to acquire social status and move about into life actively and play his full role in life. Can such a human being (mother: woman) be worthy of humiliation and disrespect. Curse would fall on those who treat the women folk with insult. Such an insult is actually an insult of the human race and big human error.

#### Purpose of Female creation:

In spite of many common factors in the creation of man and woman, there are quite differences in the organic structure of the female sex the wisdom of which is known to the great Creator. The birth of male or female is entirely the choice of the Creator which cannot be questioned. His wisdom says:



بِإِلَهِ الْمَلَكِ السَّمَوَاتِ وَالْأَرْضِ يَخْلُقُ مَا يَشَاءُ وَيَكْبِتُ لِمَنْ يَشَاءُ  
 إِنَّا نَأْتِيكَ بِكُلِّ شَيْءٍ الذَّكَرَ أَوْ الْبُنْثَى وَتَجْهَدُ كَلَّا نَأْتِيكَ بِمَا تَشَاءُ  
 يَجْعَلُ مَنْ يَشَاءُ عَقِيمًا إِنَّهُ عَلِيمٌ قَدِيرٌ (شرعى: ٥)

“The domain of heavens and Earth belongs to Allah who creates whatever He is pleased to create. He bestows females on whomsoever. He likes; He grants males to whomsoever He likes; or He mixes up males and females and makes (in His wisdom) barren whomsoever He likes. He is the knower and the Determinator.” (S. 42: V. 49-50)

People who become unhappy on the birth of a female are actually devoid of true knowledge and perfect wisdom. There can be no males without females. The value of a female in the estimate of God is greater than that of a male. The mother of Hazrat Maryam (Mary) had, during her pregnancy, taken a vow to dedicate her unborn son to the service of the House of God (Bait ul Maqdas). But she gave birth to a female and was upset to find the situation changed. But Allah gave her solace when He said: “And Allah knows better what she had given birth to; and no son could equal the status of the new-born woman (Mary) who became the mother of a great Prophet of God.

#### Prevention of Innocent Murders:

Islam vehemently opposed the killing of offsprings on grounds of poverty. It taught men to rely on the Lord

Sustainer who is Powerful and Wise to provide sustenance to every living being. The Holy Qur'an taught:

لَا تَقْتُلُوا أَوْلَادَكُمْ إِنَّكُمْ لَنَحْنُ نَرْزُقُكُمْ إِنَّا نَاَهُمُ (الانعام: ١٩)

“Do not kill; your children for want of sustenance. It is We who give you sustenance and to them also.” (S-6: V-151)

#### Inducement of Good treatment to daughters:

Islam not only stopped the murder of daughters as a heinous crime, and not only built up faith into the parents to rely on the magnificence of God for sustenance to every member of the family, males and females, it went further to inculcate in parents the desire to treat their daughters with affection and charity. The Holy Prophet (صلی اللہ علیہ وسلم) said:

- i) “He will be close to me on the Day of Judgment who brings up two daughters till they reach the level of maturity and marriageable age.”
- ii) Whoever takes trouble to bring up girls properly and treats them well, he is assured of safety against Hell fire because the girls will become his scabbard against Hell.”
- iii) A woman with two daughters came to Hazrat Aisha (رضی اللہ عنہا) who gave her three dates to eat. She gave one date to each of the daughters and waited to eat the third date herself. But both the girls ate up their share and looked to their mother for more. The mother did not take the date herself and divided it into two parts for her two daughters

who ate them up. When the Holy Prophet (ﷺ) arrived home, Hazrat Aisha (رضي الله عنها) narrated the story to him who said: "For her kindness to her daughters, Allah has granted Paradise to the woman and her daughters have become the cause of her emancipation from Hell fire." The Holy Prophet always exhorted his followers to guard carefully the rights of the orphans and the rights of the women. His teachings were responsible for this safety of the feminine modesty and chastity.

#### Women's share in the Legacies:

There is a complete chapter in the Holy Qur'an under title of "Women" which lays down in details the rights and assets of the women in their various capacities as a daughter, a wife, a mother, and widow. Legacies left by male relatives are to be divided strictly in accordance with the ratios and proportions fixed under Divine wisdom in the Holy Qur'an which says:

يُوصِيكُمُ اللَّهُ فِي أَوْلَادِهِ لِلذَّكَرِ مِثْلُ حَظِّ الْأُنثَىٰ ۚ وَإِن كُنَّ نِسَاءً فَوْقَ فِئَتَيْنِ فَلَهُنَّ ثُلُثُ مَا تَرَكَ وَإِن كَانَتْ وَاحِدَةً فَلَهَا النِّصْفُ

(النساء - ٢)

"Allah enjoins on you to distribute your legacies among your children in such a way that each son receives two shares and each daughter receives one share. If only daughters are there, they will receive two third of the

whole assets. If there is only one daughter, she will receive half of what her father has left." (S. 4: V: 11)

Such generous bestowal on women was indeed a miracle of Islam which made women fully capable of living independent life on account of their said legacies. It is worthy of note that the pivot for the distribution of wealth was the female share which indicated priority of females sex. This Qur'anic order made many people of pre-Islamic days wonder at the spirit of the order because a woman did not usually participate in war and yet she was entitled to a bulk of ancestor's or her late husbands wealth. The right of ownership was recognized both for the females and the males as laid down in the Holy Qur'an:

لِلرِّجَالِ نَصِيبٌ مِّمَّا تَرَكَ الْوَالِدَانِ وَالْأَقْرَبُونَ وَلِلنِّسَاءِ نَصِيبٌ مِّمَّا تَرَكَ الْوَالِدَانِ وَالْأَقْرَبُونَ مِمَّا قَلَّ مِنْهُ أَوْ كَثُرَ ۚ نَصِيبًا مَّفْرُوضًا (النساء - ١١)

"There is a share for men and there is a share for women in whatever is left by the deceased parents or the near kith and the legacy may be large or small." (S. 4: V: 7)"

#### Rights of Legacy as a mother:

Women in any capacity has recognized rights to own her fixed share of legacy. As a mother, the Qur'an has fixed her share as under:

وَلِزَّوْجِهِ كُلِّ وَاحِدَةٍ مِّنْهُمَا الشُّدُكُ مِمَّا تَرَكَ إِن كَانَ لَهُ وَلَدٌ فَإِن لَّمْ يَكُن لَّهُ وَلَدٌ وَنَدْبَتُهُ أَبْرَأُ فَلِلْأُمِّ الْفَتَىٰ ثُلُثُ مِمَّا تَرَكَ لَهَا إِخْوَةٌ فَلِلْأُمِّ الْفَتَىٰ الشُّدُكُ (النساء - ٢٠)



"If a deceased man has a son, the share of his mother and father - each one of them - shall be one sixth of the total legacy. If the deceased man had no son, his parents shall be legal successors of his entire legacy; the mother shall have one third of the whole. If there are also brothers of the deceased, the share of the mother will be one sixth." (S. 4: V: 11)

In this above order, it is to be noted that not only father but mother has also been made a head under explicit orders. She has not been devoid of her right on account of her sex.

#### Rights of legacy as a wife:

It is worthy of notice that a man has earned her legacy as a daughter as well as a mother. She also has an unquestioned right of legacy as a wife. The Holy Qur'an says:

وَلَكُمْ نِصْفُ مَا تَرَكَ أَزْوَاجُكُمْ إِنْ لَمْ يَكُنْ لَهُنَّ وَلَدٌ فَإِنْ كَانَ لَهُنَّ وَلَدٌ  
فَلَكُمْ الرِّبْعُ مِمَّا تَرَكَنَّ مِنْ بَعْدِ وَصِيَّتِهِنَّ يُرْسِينَ بِهَا أَوْ دَيْنٍ وَلَهُنَّ  
الرِّبْعُ مِمَّا تَرَكَتُمْ إِنْ لَمْ يَكُنْ لَكُمْ وَلَدٌ فَإِنْ كَانَ لَكُمْ وَلَدٌ فَلَهُنَّ الثُّمُنُ  
مِمَّا تَرَكَتُمْ مِنْ بَعْدِ وَصِيَّتِهِنَّ قُرْصُونَ بِهَا أَوْ دَيْنٍ. (النساء-٤)

"You shall be entitled to half of what your wives leave behind, if they have no issues. If there are issues, your share shall be one fourth after defraying the amounts paid to clear their debts (if any) and fulfilling their will

(if any). Whatever you leave behind on your death, will entitle your wives to one-fourth if you have no issues. If you have children, the title to the legacy left by you will be one eighth for your wives, after defraying your debts (if any) and the fulfilment of your will (if any). (S-4: V: 12)

It may be noted carefully that the right of legacy has been established for the wives in the same strain in which the husbands right has been established. As a whole a woman is likely to acquire more wealth due to inheritance rights as a daughter, mother and a wife. But her liabilities despite her acquisitions of inherited wealth will be negligible as the support of children at all stages of their life is the responsibility of a father.

#### Respect of a woman as a mother:

God has, in His wisdom, given another weightage to the woman folks by emphasising the respect and good treatment for mothers. The Holy Qur'an has taught the highest sense of respect for the parents in old age. They are not to be admonished under any circumstances even if their behaviour warrants any measure of admonishing. They are to be treated with humbleness and very lenient and soft talk so that their old and weak minds do not receive any tremors at the hands of their grown up sons and daughters. The Traditions of the Holy Prophet (ﷺ) emphasise in different ways the very high sense of respect for the mother. Some times it is said: "Your mother is deserving of your foremost and highest respect and honour." Some times it is said: "The Paradise lies

under the feet of your mothers." Some times it is said: "The gates of the Paradise will not be opened for you until your parents are well pleased with you."

Islam has given to the female sex a very high social status and removed for all times the unjust impression of treating a woman as a creature whose duty it is to conceive and give birth to children, to feed and bring up the children and to serve the male members of the family.

#### Protection of the Modesty and Chastity of women in Islam:

Modesty and chastity of a woman is her most precious commodity. One should be prepared to spend for the defence of female modesty and honour. But shameful is a man who has debased his conscience to such an extent that he is prepared to make his mother, his sister, his daughter and his wife as a means for earning wealth as a model, as a piece of advertisement or even as a singer and a dancer. Such people have bartered their nobility and greatness as a human being with worldly pomp and glory which will be only ephemeral.

#### End of Inhuman practices:

Islam has cut off the roots of inhuman practice of the pre-Islamic days when woman had permission to have sexual relations with many men with a view to improve the race. Hazrat Aisha Siddiqa (رضي عنها) stated in clear words: "When Muhammad (صلی اللہ علیہ وسلم) was sent down with Divine mission of righteousness, he struck a fatal blow at the root of all indecent modes of marriage except the one

single way of marriage which Islam has upheld right upto this day." All other modes of sexual relations have been condemned as "fornication." (Zina) which causes vilification in race and in rights of inheritance, making the social order morbid and polluted.

#### Fornication (Zina) and its evils:

Allah, the Exalted, has said in the Holy Qur'an:

وَلَا تَقْرُبُوا الزِّنَىٰ إِنَّهُ كَانَ فَاحِشَةً وَسَاءَ مَبِئَلًا (اسراء-۴)

"Do not get close to fornication because it is lewd and indecent and an evil way of life." (S.17. V- 32)

An approach to fornication has been forbidden which means any act, sign, speech or mode of conduct aimed at facilitating the act of fornication has been called lewdness, indecency and evil. The hatred which a normal human soul has for the act of rape or fornication, has been aroused to check the evil performance. Imam Razi has, in his explanation of this verse, stated:

- (i) Pedigree and lineage is spoilt and adulterated by the act of illicit sexual relationship. No body can pin point with certainty as to which man is the real father of a child born through illicit sexual intercourse. The natural result is that no man comes forward and can be pressed to accept the responsibility of supporting the new born baby. Such bastard children are either killed by the mothers themselves or they gradually find their way to death. If alive, such a child is not an asset



- to the society but a slur responsible for many social evils."
- ii) A woman given to the habit of illicit sex is outside the pole of normal law and she remains a subject of misappropriation by many an evil man. Since none can legally oppose the sexual approach of many men, the person of such a woman becomes the source of mutual trouble, enmity, fighting and dis-order some times culminating into number of many men and even the woman herself.
  - iii) A habitual prostitute is never liked by any decent man. Normal human feelings turn against her bad conduct and no body feels inclined to marry her and keep her as a wife. She becomes an article of hatred and spends her entire life in lewdness and infamy.
  - iv) When the act of fornication is not checked and stopped in the society, men stoop low to the level of beasts and sexual relationship takes the shape of beastly activity. The distinction of human dignity disappears and the social order is polluted incorrigibly so that it may invite the wrath of God and the people so debased may be effaced from the earth as history gives many an instance of such ruined people.
  - v) The purpose of the creation of man and woman is not limited to sexual relationship to breed the race. Higher human purposes are involved in the mutual marital relationship of a man and a woman. They are to act as partners in life. They are to earn and

- feed a family to bring up and educate children as useful citizens of society. They are to share the pains and pleasures of life. All the higher demands of human nature can never be fulfilled until the Islamic way of matrimony (Nikah) is sincerely adopted which makes one woman lawful for one man and unlawful for all others.
- vi) Sexual intercourse is a strictly private act and requires strict privacy. The performance of the sexual act is always behind the screen because normal human sense of modesty supports it. This innate human sense of shame and modesty can be maintained only when a man is related to one woman exclusive of all other men.

#### Advice of the Holy Prophet (ﷺ)

##### to a Young man:

Imam Ahmed has narrated on the authority of Hazrat Abu Umamah (رضي الله عنه) that a young man came to the audience of the Holy Prophet (ﷺ) and begged permission for adultery. The companions disliked this very quaint request and reprimanded him. But the Holy Prophet (ﷺ) asked the young man to come close to him and entered into conversation with him after giving him a seat to sit down:

##### The Holy Prophet:

Do you like this act (adultery) for your mother?

##### The young man:

No. O Prophet of Allah.

The Holy Prophet:

Do other people like this act for their mothers?

The young man:

No. O Messenger of Allah.

The Holy Prophet:

Will you like the act of adultery for your daughter?

The young man:

No. O Messenger of Allah. I may become your ransom.

The Holy Prophet:

All the people do not like the evil act of adultery for their daughters. Can you tolerate it for your sister?

The young man:

Never! O Prophet of Allah.

The Holy Prophet:

Can you like your aunt to indulge in such evil?

The young man:

No. O Prophet of Allah.

The Holy Prophet:

All the people would disdain such an act for their aunts.

After having explained the psychological problem of the evil course in some detail, the Holy Prophet (ﷺ) placed his second hand on the heart of the young man and prayed for him: "O Allah! Forgive his sins and purify his heart and protect his sexual power from all evil." The effect of the prayer was that the young man changed his heart altogether and the evil of fornication became manifest in his eyes. He became a pious and God-fearing man and never thought of such evil act afterwards.

**Adultery is fighting with pivotal power of universe:**

The intensity of evil inherent in the act of adultery has been exposed by the Holy Qur'an in a most laconic way. It says:

لَا تَنْكِحُوا مَا نَكَهَ آبَاؤُكُمْ مِنَ النِّسَاءِ إِلَّا مَا قَدْ سَلَفَ إِنَّهُ كَانَ فَاحِشَةً  
وَمُنْكَارًا سَاءَ سَبِيلًا (النساء-٢)

"You do not court marriage with the women whom your father had married, let aside the past events of this nature. It is an act of obscenity and lewdness and a most loathsome incident and a very bad practice." (S. 4: V-22)

The words used in the above verse point towards an effort to encounter the pivotal moral force of the universe. The evil rampant in the society on account of increased adultery and rape is nothing but a fight against the basic psychological powers of peace and tranquillity.

**Pledge on strict chastity:**

The pledge for entry into Islam taken from women includes words indicating determination to avoid adultery. Says the Holy Qur'an:

لَا يَرْبِيْنَ وَلَا يَقْتُلْنَ أَوْلَادَهُنَّ وَلَا يَأْتِيْنَ بِبُهْتَانٍ يَفْتَرِيْنَ لَهُ بَيْنَ  
أَيْدِيْهِنَّ وَأَرْجُلَيْهِنَّ (ممتنه-٢)

"(The pledge lays down that) the women entering into the fold of Islam shall not indulge into adultery nor killing



daughters nor false accusations coined and prepared by their evil genius." (S-60 : V-12)

Adultery is the mother of innumerable evils. It breeds untold free fighting and clash of interests. A people fond of and given to adultery loses its dignity and the edifice of its greatness falls alone to the ground. Epidemic are ever on increase. National health co-efficient falls down sharply. Poverty with all its concomitant becomes wide-spread and poverty-sticken people soon lose their good sense for moral rectitude.

#### Adultery, A big injustice:

Keeping in view the social mischief brought into form by adultery, Allah, the Exalted, has treated this sin only one stage lower than murder. This is not murder but in its evil effects on society it is equal to murder. While counting the good qualities of His obedient servants, Allah, the Exalted, has made a mention of this evil to be avoided by the righteous servants of God. He says:

وَالَّذِينَ لَا يَدْعُونَ مَعَ اللَّهِ إِلَهًا آخَرَ وَلَا يَقْتُلُونَ النَّفْسَ الَّتِي  
حَرَّمَ اللَّهُ إِلَّا بَأْسًا قَتَلُوا وَمَنْ يَفْعَلْ ذَٰلِكَ يُنْصَبْ آثِمًا

(الفُصْرَتَان ٦٠)

"(The obedient servants of Rehman are those) who do not call any Deity besides Allah, who do not murder any person made unlawful until there is a legal justification; and they do not indulge in adultery or fornication; and

whoso indulges in such vices, he shall meet suitable punishment." (S. 25: V: 68)

The above quoted verse clearly explains that adultery is as much a heinous crime as polytheism, infidelity be forgiven or pardoned without proper repentance and atonement. The above verse continues to read:

يُصْعَقُ لَهُ الْعَذَابُ يَوْمَ الْقِيَمَةِ وَيَخْلُدُ فِيهِ مُهَانًا (الزَّان ٦٠)

"The punishment of a person indulging in adultery and fornication shall be increasing moment by moment on the Day of Judgment and he shall dwell in it for ever." (S-25: V. 69)

#### After polytheism, adultery is biggest sin:

The Holy Prophet (ﷺ) explained the severity of the sin of adultery in the following words: "There is no sin, after polytheism, bigger than placing the semen which a man may place in a womb which is not lawful for him." In another way, he (ﷺ) explained: "A person committing the act of adultery does not remain a faithful Muslim while committing that act. Shun it! Avoid it!" It is clear that a faithful man is deprived of the wealth of faith if he commits adultery or rape. The deprivation of faith has more lucidly explained in the following Tradition of the Holy Prophet (ﷺ): "When a person commits adultery or rape, his faith leaves his body and comes over his head as an umbrella. After he has quitted that evil act, faith returns to him."

**The wrath of God:**

Allah, the Exalted, gets angry at the illicit use of human wombs. Indecency and lewdness have been strictly forbidden as per Divine injunction quoted below:

قُلْ إِنَّمَا حَرَّمَ رَبِّي الْفَوَاحِشَ مَا ظَهَرَ مِنْهَا وَمَا بَطَنَ وَإِثْماً وَكِبْرًا  
بِغْيَاً لِّحَىٰ- (الاعراف-٣)

"Say: My Lord sustainer has strictly forbidden indecent and lewd acts which may be performed openly or in secrecy; as also every sinful act, rebellion and oppressive injustice." (S-7: V. 33)

Human nature agitates against any indecency. If a man finds his wife involved in indecent association with a stranger, the natural re-action will be to kill the man instantaneously. This feeling was expressed by Sa'ad bin Abadah (رضي الله عنه) before the Holy Prophet (صلى الله عليه وسلم) who remarked: "Sa'ad values his honour passionately; I am more alive to defend my honour and Allah is much more conscious of human honour." That is why He has declared as unlawful and forbidden all acts of lewdness and obscenity."

On another occasion when there was a Sun eclipse the Holy Prophet (صلى الله عليه وسلم) emphasised the point of honour in the following words: "O followers of Muhammad! (صلى الله عليه وسلم) By God, there is no one more conscious of honour than Allah (who dislikes) the sinful act of adultery or rape by a man or a woman. By God, had you known what I know (about future of man), you would laugh less and weep more." Then he (صلى الله عليه وسلم) raised his

hand in the air and said: "O Allah! Have I not delivered your message?"

**Adultery, the worst tyranny on earth:**

Out of all human follies adultery and rape are the worst human acts which perpetrate injustice and tyranny on the human individuals as well as the society at large. Prophet Joseph who was a model of decency, gentleness and knowledge was put in a trial to save his modesty. Divine decree passed him through different circumstances - both difficult and trying. He was brought up in the house of Aziz, a Minister of Egypt. When he attained manhood, the wife of Aziz was strongly drawn towards his youthful beauty. On a day, when her husband was away, she apparelled herself in gold and light and presented herself as a perfect bride to seduce Prophet Joseph and fall in illicit relationship with her. The Holy Qur'an stated:

وَرَأَوْهُ اتَّيْتُهُمْ بَيْنَهُمَا وَغَلَّقَتِ الْأَبْوَابَ وَقَالَتْ  
هَيْتَ لَكَ - (يوسف ٣)

"The woman in whose house he stayed, she seduced him and closed all the doors of the house and called upon (shamelessly) to enter upon her modesty." (S.12: V. 23)

But Prophet Joseph refused and said:



"I seek the protection of Allah! (against your evil design) He (your husband) has been so kind to me and (I cannot ignore his rights) No unjust oppressors will earn salvation." (S-12: V.23)

- i) Adultery and rape are the root of all oppression and social injustice. Human character and human deeds are soiled and spoiled by lewdness and indecency. There is often wastage of wealth and at times there is also blood-shed. Normal health of indulgents is lost and sexual diseases often afflict such persons. Lewdness, indecency, cheating, selfishness, servitudes to casual desires, waywardness in thinking and spiritual backwardness are some of the concomitants of adultery and rape.
- ii) Adultery also works havoc to a noble family whose reputation suffers an irreparable loss. Infamy begins to be attached to such a family and the general good character of the new generation suffers a severe set back.
- iii) A noble-hearted woman who is naturally shrouded by feeling of shame and modesty is made to work against her own psychology. The evil act of rape transforms the human character of a woman. Her mental horizon becomes polluted and a time comes when she has said good by to all good values of womanhood. The profession of prostitute is an outcome of men who have worked hard for the spread of indecency and lewdness in a good society. A good woman, when allowed and depend

- into sinful activity, gradually loses her feminine sense of honour and takes to a life of profligacy.
- iv) There are cases when a woman breed, when forced into rape, prefers death to life and commits suicide.
  - v) In the case of a married woman, the act of rape perpetrated upon her amounts to tyranny of the worst order.
  - vi) Adultery and rape are acts of mistrust perpetrated upon the new unborn generations. A bastard child has no personal fault but a pandoras box of evils and deprivations are opened upon him. His misfortune deprives him of his normal growth and normal moral and spiritual development. Neither his body nor his soul can aspire to live true human life. This injustice has been also by the devilish man who has committed adultery resulting in his birth.

The Prophetic mind of Prophet Joseph understood the depth of events involved in the act of rape. He, therefore spoke out his mind that a prison cell was far better than the heinous crime to which the profligate women of Egypt were inviting him.

#### Perdition due to adultery and rape:

The Holy Prophet (ﷺ) once stated that one of the signs of approaching Doomsday was that adultery and rape would spread out in society and the number of females would increase inordinately so that there would one man to support and look after fifty women. Hazrat

Abdullah Bin Masood (رضي الله عنه) said: "When usury and rape spread in a society, its habitation are destroyed and ruined." Hazrat Abu Bakr Siddiq (رضي الله عنه) once said: "If adultery become widely spread in a community, Allah, the Exalted lands it in troubles." Some of other harmful effects of wide-spread adultery are the death on a large scale and the spread of plague among people who are given to this evil. One of the sayings of the Holy Prophet (صلی اللہ علیہ وسلم) is manifests warnings: "When adultery spreads among a community, it is bound to face famine and corruptions in its dealings and it is kept in a state of constant fear."

The children of Israel to the Jewish community were, for some times, a chosen people of God and His bounties and blessings were showed upon them. But, when adultery, usury and corruption found their way with their material fabric, they were annihilated and punished by powerful forces. The Holy Prophet (صلی اللہ علیہ وسلم) warned his people in the following words: "Beware the love of worldly comforts and beware the suave of women. The first trial for the Bani Israeī was their women folk."

### **Result of ignoring the Teachings of Islam:**

The Islamic view point of female modesty and chastity has been briefly explained in the preceding pages. Now let us study the present day condition of the women in the most civilised countries like America, United Kingdom of Britian and France.

In the United States of America wide spread adultery and rape has resulted in even increasing sexual diseases among men and women. Death of children numbering 30 to 40 thousands is the result of inherited (syphilis). Sixty percent young men are afflicted with Gonorrhoea. Among married women, operations of sexual organs revealed that 75 percent cases are afflicted with Gonorrhoea.

### **The results of adultery and rape in USA:**

Judge Lindsay who is chairman of Juvenile courts and has first hand knowledge of juvenile delinquency, writes in his report: "young girls of high school age numbering 495 have admitted before me that they have had experience of sexual intercourse with boys. Among high school girls under review. Only 25 had become pregnant." The same judge said in a statement: "In America 1,500,000 abortions take place and thousands of children are put to death immediately after birth." The same judge has said that at least 45 percent girls face molestation before leaving the school.

The Encyclopedia Britannica states on page 45 of volume-4 that, in American clinics there is an average of 200,000 patients of Syphilis and 160,000 patients of Gonorrhea.

In America the number of professional prostitutes exceeds five lacs. Besides regular brothels, there are innumerable meeting houses where arrangements have been made for the 'meeting' of gentlemen and gentle ladies. On enquiry it came to light that in one city there



are nearly 800 such houses which have made arrangements for free sex meetings. In such houses not only virgin ladies are welcome but even married women find their asylum for free sex. One Social Reformer of USA remarked that: "Not less than one third population of married couples in New York is not loyal to their partners."

In 1948 Doctor Henly Kinsay published a comprehensive report on the sexual life of Americans. It was revealed that "adultery and rape have worked havoc in America. Boys and girls meet each other in free sex even before puberty with the result that girls attain puberty before their natural times." The Kinsay report goes on to add: "Ninety percent of Americans have tasted self pollution in one part of their life or another. Seventy percent of American males have committed sodomy at least once in their lives. Four percent of the males have become sodomists for their lives. Adultery and rape between the ages of fifteen and twenty five years is 25 percent and between the ages of twenty six to forty it is 90 percent. In educational institutions like Grammar Schools the percentage of free occasional sex is 84. In the colleges persons upto the age of 41 commit adultery to the extent of 49 percent. Among the married men half are found to have illicit sexual intercourse with women other than their wives.

#### **Adultery and rape in United Kingdom (UK):**

In UK which is foremost in modernism, an English author, Jaraity Scott has stated in his book on lewdness:

"Apart from professional prostitutes, there are a large number of women to have adopted the use of free sex as a means to augment their income. Young girls have adopted all the professional tactics of prostitutes as a fashion. The number of girls and women who enter into free sex before their marriage is on increase. The number of such young girls who are virgins at the time of their marriage is rare."

According to Maulana Moududi the number of abortions in UK in a year exceeds 90 thousand. Among married women this number is far more.

#### **Adultery and rape in France:**

Long before the Great War, the Attorney General of France said in his report. "The number of women who use their bodies for free sex exceeds five hundred thousand. They sway maximum use of advertisement tactics."

During the first two years of the Great War, 7500 French soldiers had to be sent away on leave for treatment of sexual diseases in the hospitals. In an average cantonment the number affected with sexual diseases was 242. A French specialist Doctor stated that in France, the average death due to sexual diseases was thirty thousand per year.

After study of the above quoted reports of America, British and French authorities, a reader can very well imagine the havoc which free sex has worked in those countries. Besides social disorder, the incidence of sexual diseases has been alarming and the serious type of thinkers are rightly worried about national health and progress.

Keeping in view the pictures of moral and physical corruption due to wide-spread adultery and rape, the correct and timely appreciation of the laws given by Islam for the protection of modesty and chastity of both sexes is the necessity of developed nations. Islam is a great saviour of humanity.

### **Protection of Modesty and Chastity and the Institution of Marriage in Islam:**

All well-wishers of the human race and all national thinkers have appreciated that wide-spread adultery and rape are a scourge for humanity. The physical, social and moral corruption arising from this fatal addiction has forced thinkers and national leaders in the world to evolve some sort of legal code to put a stop to the recurring human troubles and social problems.

Islam has given to humanity a system of moral laws which are based on human psychology and which meticulously avoid the two extremes. Neither Celibacy nor free sex are permissible in Islam. It has adopted golden means and the Islamic teachings encourage the institution of marriage to such an extent that two, three or four wives have been made permissible. Sexual urge is the weakest point of any human being, male or female. Its satisfaction must be sought by lawful means which involve heavy responsibilities. The Holy Qur'an says:

وَالَّذِينَ لَا يَمْلِكُونَ الْغُلَامَ وَلَا السَّائِمَةَ فَلْيَتَزَوَّجُوا مِنْ بَنَاتِكُمْ (نور-٣)

"And get those married who are without a spouse among your slaves and maid servants." (S-24: V:32)

Marriage of all such persons who are able-bodied and have supporting capacity, has been made almost compulsory. The responsibility devolves on the heads of families and on the nation as a whole.

Marriage has been described in Islamic jurisprudence as an obligation amounting almost to a duty. A large number of Traditions of the Holy Prophet (ﷺ) emphasise timely marriage of boys and girls and servants and maid servants so that the social order remains free from corruption of free sex and the evils concomitant upon it. The Holy Prophet (ﷺ) advised the young men: "O group of young men! whoso among you has full sexual power, let him (at once) court a marriage, because marriage alone can guard your sight and your sexual organs."

### **Protection and multiplication of race:**

A Tradition of the Holy Prophet (ﷺ) reads: "Marry most fertile of women and multiply your race because I shall be proud of your increased numbers on the Day of Judgment." Mutual love and regard of man and wife go a long way in giving stability to the family system which is unfortunately disintegrating in the western world.

The moral and spiritual merits of marriage have been highlighted in the following words of the Holy Prophet (ﷺ): "Whoso desires to meet his Lord sustainer in a state of purity and neatness, he must court marriage with noble women." This clearly shows the path of modesty and chastity to both men and women. Marriage makes a young man and a young woman modest and pure. It is a



practical device for placing a bulwark against many a moral and spiritual evil. Proper satisfaction of sex is greatly responsible for moral uplift of both men and women. To live a chaste life is a correctable virtue and society of chaste men and women is indeed an asset for the whole nation. Marriage has been described in one Tradition as "half the faith." After marriage a man and a woman is described as having completed his or her faith. This is quite intelligible because freedom from sexual urge can easily put a man or woman on the path of moral progress and spiritual uplift.

#### Marriage—An Established way of Prophets:

A little serious reflection would bring home to any thinking man that a large number of moral sins take their birth from sexual urge. After marriage under the law the chances of indulgence in moral corruption are minimised. Muslim dignitaries have always encouraged marriage as an established way of the Prophets of God. The Holy Qur'an has clearly stated this fact:

وَلَقَدْ أَرْسَلْنَا مِنْ قَبْلِكَ لَكُمْ أَنْذَارًا وَذُرِّيَّةً ۝١٠

"And certainly we sent before you many a Divine Messenger who had wives and children" (S- 13: V: 38)

The Companions of the Holy Prophet (ﷺ) advised one another to adopt the prophetic way of life. Once Hazrat Abdullah bin Jabair (رضي الله عنه) who was unmarried, was advised by Hazrat Abdullah bin Abbas (رضي الله عنه) to adopt the way of the Holy Prophet and get married.

#### Social status of unmarried person:

The Holy Prophet (ﷺ) said: "A man without wife is poor indeed despite his wealth; similarly a woman without husband is poor despite wealth. Hafiz Ibn-e-Hajr, has rightly observed in his book 'Fateh-ul-Bari': "Marriage is courted to control sexual lust and, to inculcate sense of chastity besides increasing the race."

#### Celibacy undesirable in Islam:

The Holy Prophet (ﷺ) always discouraged the trend of celibacy and always persuaded his companions to marry. Usman bin Maz'oon (رضي الله عنه) was one of the most pious companions of the Holy Prophet (ﷺ). Under a spiritual urge he made up his mind to get cut off from women and adopt a life of celibacy. When the Holy Prophet came to know his intention, he dissuaded him and he had to obey the Holy Prophet (ﷺ) and reverted to normal married life and its routine.

An important event will manifestly explain the attitude of the Holy Prophet in regard to performance of married life. Once three pious type of companions made up their minds to worship full night, forsake association with their wives and Fast all the days in a month. The Holy Prophet corrected their view by telling them: "I am the most God-fearing among you. Yet I Fast and do not Fast on days; I pray during day and night and also do sleep a part of the night; I have married ladies and do go to my wives for marital relation. Who abandons my way of life, he has nothing to do with me." Thus a person who shuns marriage or who precludes association with women

(his wife) he has been disowned by the Holy Prophet (ﷺ).

Another important event lay bare the wholesome attitudes of the Holy Prophet (ﷺ) in favour of marriage. Aqaf bin Bashr (a companion) once went to the audience of the Holy Prophet (ﷺ) who asked him: "O Aqaf! Do you have a wife?" He replied: "No. O Prophet of Allah. He again asked him: "Do you have a maid?" Aqaf again replied: "No." On this the Holy Prophet remarked: "Then you are one of the brethren of Satan." The Holy Prophet (ﷺ) then got him married.

Hazrat Abu Horairah (رضي الله عنه) and Hazrat Anas bin Malik (رضي الله عنه) sought permission of the Holy Prophet (ﷺ) to get themselves castigated to become unfit for marriage. The Holy Prophet strictly prohibited this and advised them to get married."

#### Status of a Pious woman:

The non-Islamic view has condemned woman as a dangerous creature, a person to be shunned and avoided, a snake laid down by Devil, a snake, a poison etc. But the Prophet of Islam (ﷺ) has extolled the high status of a good woman by declaring that: "The whole world is a contamination of utilities and best of useful things on earth is a pious and pure-hearted woman." The usefulness of a good woman implies her role to save her husband from all moral evils and to provide complete peace of mind so that he can live a successful life in society.

#### Merits of a Good woman include life of Prosperity:

What a lofty tribute has been paid to the female sex by the Great Prophet of Islam (ﷺ) when he said: "Among the things of this world my mind has been inclined to have love for women and perfumes; (but) my coolness of eyes lies in praying to Allah." Allah, the Exalted, has, as though by way of incentive, given promise of prosperity on getting married. He has said:

إِنْ يَكُونُ لَكُمْ إِتْرَاءٌ يُغْنِيكُمْ اللَّهُ مِنْ فَضْلِهِ وَاللَّهُ وَاسِعٌ عَلِيمٌ - (نور-5)

"If they (the persons courting marriage) are destitutes, Allah will grant them prosperity through His bounties and blessings. Allah is very generous and full of knowledge." (S-24: V:32)

Human weakness has always been to looks to the means of livelihood which are not always satisfactory. For fear of poverty and inability to defray expenses of married life, most people give up the idea of marriage and try to live a life of celibacy. But Allah, the Exalted, teaches man to place his reliance on His bounty and his generous sustenance. He says:

وَيَرْزُقْهُ مِنْ حَيْثُ لَا يَحْتَسِبُ (الطلاق-1) تَعْنِي تَرْزُقُكُمْ مِنْ يَأْتِيهِمُ (الانفا)

"Allah grants sustenance from sources which are beyond the imagination of man." (S-65: V: 3 )



"He grants sustenance for you and to those who depend on you." (S-6: V: 151)

Fear of livelihood should not stand in the way of marriage of a young man. This is a blessing of Islam that it carries the mind of man above the world of cause and effect and teaches him to recognize God as the real, powerful sustainer. Absence of prosperity must not stand in the way of marriage; similarly the marriage should not be looked upon as a means to poverty. At times a man and woman, on unification in marriage earn such blessings of God that they begin to wonder at their fortunes.

#### Fear of Poverty baseless:

Most people suffer from a complex that marriage which involves monetary responsibilities may be postponed till a certain level of prosperity has been attained. The Holy Qur'an has shaken off such imaginary fears and induced men to see the problem from the high level of faith and reliance on the sustenance of Allah. Says the Holy Qur'an:

وَإِنْ خِفْتُمْ عَيْلَتَكُمْ فَسَوْفَ يُغْنِيكُمُ اللَّهُ مِنْ فَضْلِهِ إِنَّ شَاءَ رَبُّهُ (س-٩)

"If you fear poverty (after marriage), soon, very soon Allah will grant you emancipation from all world's needs through His bounty, if He likes." (S-9 : V:28)

#### Interpretation put by companions on the above verse and their reaction:

Hazrat Ibn-e-Abbas (رضي الله عنه) said that the above quoted verse is a kind of Divine incentive for marriage.

Allah, the Exalted, gives order for marriage to a person who is able-bodied and competent to discharge obligations of married life. He also promises bounty and magnificence to such a person.

Hazrat Abdullah bin Masud (رضي الله عنه) said: "As advised by the Holy Prophet (صلی الله علیه وسلم) such prosperity through marriage." Hazrat Abu Horairah (رضي الله عنه) quoted a wonderful Hadith (saying) of the Holy Prophet (صلی الله علیه وسلم). He said: "There are three persons who are bound to receive active help of Allah. Firstly a slave who seeks emancipation by payment of his price through his earnings. Secondly a person who intends to court marriage to protect his modesty and chastity. Thirdly a person who leaves his home to fight in the cause of Allah."

#### Importance of marriage in Islam:

From study of events during the golden period of the life of the Holy Prophet (صلی الله علیه وسلم) we find that marriage was recommended and encouraged to all young men even if they were penniless and destitute. At times marriage of a young man was solemnised when he had only one iron ring in his finger. Marriage was permitted when a man had nothing with him except the capacity to teach the Holy Qur'an. At times marriage was allowed to be solemnised with a small number of dates or with a small quantity of "Sattu" (a soft drink made from barley flour).

Such extraordinary relief was allowed for marriage with the set purpose of guarding the modesty and chastity

of young man and to induce multiplication of the race, particularly Muslims.

### Circumstances warranting Celibacy:

When bodily incapacity or other negative circumstances make it impossible for a man to court marriage, he has been advised to live life of modesty and chastity till such time the circumstances are favourable and the availability of a bride is possible. Says Allah, the Exalted:

وَلْيَسْتَغْفِرِ الَّذِينَ لَا يَجِدُونَ نِكَاحًا يُغْنِيهِمُ اللَّهُ مِنْ فَضْلِهِ

(نور - ٣)

“Persons who cannot afford to marry. Let them display patience so that better times may arrive to give them prosperity.” (S-24: V:33)

Such persons have been advised by the Holy Prophet (ﷺ) to keep Fast so that the force of sexual lust is weakened and they are able to maintain chastity.

### Dangers and harms attendant on Celibacy:

The emphasis on marriage is based on wisdom and prudence. Inclination to sex is inherent in the human nature. After puberty the signs of this urge become stronger and prominent. By and by, in the case of able-bodied and healthy men and women it takes the shape of a pressing demand. A conflict ensues between sexual feelings and rational thinking. Twenty five is usually the best part of mature age to get married. After marriage the

feelings of sex at rest and the mental faculties are set free to indulge in normal constructive activity.

### Broad aims of marriage:

Maintenance and multiplication of the human race is the foremost aim of marriage. Second aim is to keep and maintain physical and intellectual health. The third aim, which unfortunately has been mis-understood as the most prominent aim, is the acquisition of pleasure in the sexual act itself.

### Retention and ejection of the Human Semen:

The sexual act seeks to eject the superfluous semen which youthful activity of sexual glands prepares and stores in the testicles. It does not find an outlet, it creates worst mental diseases where its ejection gives balanced good physical and mental health. The correct times for the ejection of the human semen, according to “Nafeesi” (a famous book on medicine) is the time when natural urge for the display of sex is at its maximum.

If the semen is retained beyond its natural capacity for retention, it changes into a poisonous fluid and its vapours rise towards the brain which can cause fainting and even epilepsy. Allama Ibne Qayyim likens to well water, which, if not taken out, become rotten.

### Waywardness and inclination to adultery:

Shah Wali ullah of Delhi has stated: “When the semen exceeds limit, it vaporizes and reaches the brain region as a result of which a young man begins habitually to take



intent in handsome women and looks upon them as a desirable object. The vapours travel to the sexual organs of the male and the desire increases to have relationship with the opposite sex. If the man is unmarried, passions may get out of control and may become inclined to commit adultery. Then his morality is shaken and may land him into dangers.

The Holy Prophet (ﷺ) said: "O group of young men! whoso among you is able-bodied, let him court marriage because marriage is the best way of keeping chaste and modest."

The universal physician Diogenes said: "Intercourse with lawful wife on a moderate basis is good for health and is indeed a cure for many diseases."

The scholar Nafeesi wrote: "Vital power in a man increases by sexual intercourse and prepares the body to assimilate good food. It keeps man happy and jovial. It annihilates anger and saves the mind from wayward thinking. To avoid lawful intercourse can land a man in fatal diseases."

Shaikhul Islam Moulana Hussain Ahmed Madni (of Deoband) wrote to one of his spiritual disciples: "your assertion that spiritual progress is not possible after marriage, has no basis because sexual intercourse brings brilliance to mental faculties and cleanses the heart of spiritual maladies. Qazi Ayaz (famous biographist of the Holy Prophet) stated that every thought of lust blackens the heart except the sexual intercourse with lawful wife which brightens the heart."

### Moderation in Sex:

Even in lawful sexual intercourse, moderation is the key note to good health. Nafessi says: "Too much indulgence in sex weakens the reproductive faculties, harms the nervous system, promotes causes of paralysis and weakens the eye sight."

### Adoption of unlawful ways for Sexual satisfaction:

If a person takes to unlawful and un-natural ways for satisfaction of the sex, he is committing betrayal to the coming generations of man because human faculty of sex is a sacred trust for the survival of the human race. Mohammad Bin Zakari said that the abandoning of natural and lawful ways for sexual satisfaction makes the human body weak and cold, blurs the eyes, benumbs the mental faculties, spoils the digestive power and makes the man a patient of depression and melancholy.

Persons who waste their precious human semen through the hand, they always land themselves in physical and mental diseases. They soon become invalid and incapacitate for natural intercourse with a lawful wife. It is a bold betrayal of the human race because they block the way of coming generations.

Sodomy is another horrible way of wasting one's life spirit. Besides earning the wrath and curses of God and His angels it always results in spoling physical and mental health and breaking the normal family system. A large percentage of young men is addicted to wastage by hand or through sodomy. The Holy Prophet (ﷺ) said: "If

you find any one indulging in the curse of Sodomy, kill him and also kill the object of his cursed activity." Act of sodomy is also prohibited with one's own wife. It is also strictly prohibited with animals. "Allah does not cast a glance of mercy on a man who commits the act of sodomy with a man or a woman" (Tirmizi). The Traditions prohibit such immoral activities.

#### **Collective Advantages of Marriage:**

Islam permits lawful and only lawful sexual activity. Lawful sex has been encouraged in every religious system. Matrimonial relation is the foundation of family life. If lawful marriage is abolished, the total system of social life, family, class, comity would disappear. At a particular stage of one age, every man feels the need of a kind woman and every woman feels the need of a kind man. Marriage is therefore, a collective necessity to maintain the family system and the lie of the community. If there is no lawful marriage, most close relations like father, mother, brother, sister, aunts, uncle, father-in-law, mother-in-law, grand father, grand mother, wife, husband, and cousins would become meaningless words. Such a situation would be annihilation of the human social fabric.

#### **Lawful marriage in the sight of World Thinkers:**

The importance attached to lawful marriage has been explained from the physical and moral view point. Let us see what the world thinkers say about its usefulness and importance:

#### **Raj Gopal Acharya:**

The first governor general of Bharat, Raj Gopal Acharya, said: "Marriage is a must for all women. Medicine, engineering, teaching are all good professions but the real natural profession for a woman is her house-hold and bringing up children. My 66 years life has taught me that perfection of female character can be attained only by becoming a mother.

#### **A British specialist woman:**

The foremost duty of a woman is to get married bring up children and attend to her house-hold. A woman in search of these natural permits can get them with ease like a man who can find a job with effort.

#### **Western thinker Anthony M. Lodowaisy:**

He writes in his book: "Protection of woman:" It is very important to emphasise that every woman must, till a particular stage of her life, make married life as her aim and object. Parents must bring up their daughters in such a way that they would then act to be good mothers. The best part of feminine characters is achieved only after becoming a mother. Every thing else has a lesser importance. Anyone who advises a woman that other pursuits are more important than house-hold and becoming a mother, they are deceiving the woman folk are not their well wishers. True woman-hood is nothing but the breeding of a



new generation and nothing beyond this activity is of any use to genuine and natural woman-hood."

### Aims of marriage- Modesty and Chastity:

The importance of formal marriage has been recognized as the safest and most natural way of sex satisfaction through all ages of human history. Protection of self-respect, modesty and chastity for both sexes has been looked upon as the chief aim of marriage.

#### Conditions of lawful marriage:

It is worthy of notice that Islam has forbidden marriage with women who are nearest to a man in point of modesty such as mothers, daughters, sisters, paternal and maternal aunts, daughters of brothers and sisters foster mothers and foster sisters etc. Beyond the forbidden women, all other women are lawful provided one seeks them with his wealth in modest conduct, not in fornication. A woman can be taken in lawful marriage when:

- i) She has verbally and openly agreed to the proposal of marriage;
- ii) When dower money has been fixed and paid in good spirit;
- iii) Marriage is solemnised with avowed condition to live as man and wife and intention by discharging all liabilities on both sides;

- iv) Mere sexual satisfaction should never be the intention as it will be a betrayal of the noble institution of marriage.

#### Acquisition of Chastity:

The outstanding purpose of marriage in Islam is the acquisition of chastity both for man and woman. The bond of marriage is like entering a fortified mansion where moral laws reign supreme. Marriage in Islam is not a secret covenant between two male and female. It is an open and avowed covenant with the tacit permission of the head of family to which the woman belongs.

تَأْتِيكُمْ مِنْ بَآذِنِ أَهْلِكُمْ وَأُولَئِكَ مِنْكُمْ بِأَعْيُنِكُمْ غَيْرِ  
مُتَاجِرَاتٍ وَلَا مُتَحَدِّاتٍ أَخَذَابٍ (النساء-٣)

"Marry them with the permission of their masters and give them their dowry in all justice." (S-4: V: 25)

Islam has extended the acquisition of chastity through marriage to both man and woman, neither of them shall even think of unlawful ways of satisfying their natural urge of sex.

أَيُّوْمَ أَجَلَ تَكْرُ الْطَيِّبَاتِ وَطَعَامُ الَّذِينَ أُذْوَ الْكُتْبِ جِلْ تَكْرُ وَطَعَامُكُمْ  
جِلْ تَكْرُ وَطَعَامُكُمْ مِنَ الْمُزْمَاتِ وَالْمُحَصَّنَاتِ مِنَ الَّذِينَ أُذْوَ الْكُتْبِ  
مِنْ تَبْلِكُمْ إِذَا تَنَبَّهْتُمْ مِنْ أَجْزِهِمْ مِنْ مُدْصِنِينَ غَيْرِ مُتَاجِرَاتٍ وَلَا  
مُتَحَدِّاتٍ أَخَذَابٍ (النساء-١١)

"All good things have this day been made lawful for you. The food of those to whom the Book was given is lawful to you, and yours to them. Lawful to you are the free believing women and the free women among those who were given the Book before you, provided that the given dowries and bring in honour with them, neither committing fornication nor taking them as mistresses." (S-5: V:5)

The above verse induces a young man in Islam to select a modest and chaste young woman for his marriage. The main purpose of marriage in Islam is the guarding of chastity. The natural urge needs to be fulfilled within the limits of modesty and chastity. Mere satisfaction of sexual urge is stooping low to the level of beasts which Islam certainly dislikes and discourages. The most valuable part of the human character is the protection of modesty and chastity and this is the basic principle of an Islamic marriage.

If the honour and modesty of a married woman or a married man is jeopardised by the marital relations, it is better to sever those relations and Islam permits it.

#### Divorce:

The institute of divorce is subject to the condition that the limits of modesty and chastity cannot be properly maintained with the existing spouse. In that case life is not allowed to be ruined under any false prestige and divorce is allowed. Similarly, if a woman has genuine grounds for complaint that she cannot maintain the Islamic standards

of modesty and chastity with her spouse, she is allowed the right of "Khula" i.e., divorce sought by the wife.

Precisely for the maintenance of feminine chastity, Islam makes it unlawful for a man to leave his wife unattended for a period exceeding four months. Pre-Islamic usage of "Eilaa" i.e., a vow not to co-habit a wife has been condemned and made unlawful as this usage is fraught with danger of the wife seeking unlawful course for the satisfaction of her sexual urge.

#### Mutual love and regards:

Another basic purpose of marriage is to foster mutual love and regard between man and his wife. This factor is important for the growth of true civilisation in the society. Ideal marital relations can be greatly useful for national uplift and progress. Allah, the Exalted has said:

وَمِنْ آيَاتِهِ أَنْ خَلَقَ لَكُمْ مِنْ أَنْفُسِكُمْ أَزْوَاجًا لِتَسْكُنُوا إِلَيْهَا وَجَلَّ بِكُمْ مَوَدَّةً وَرَحْمَةً - (۳-۲۰)

"And of his signs is that He gave wives from among yourselves, that you might live in tranquillity with them, and put love and kindness in your hearts." (S-20: V:20)

The sayings of the Holy Prophet (ﷺ) have amplified the above verse and explained how a man overpowered by sexual urge should behave." Whenever a man among you is comforted by a beautiful female, it is indeed a snare of Satan ( who wants to rob you of your precious modesty), the most effective course of action under such a situation would be to have sexual intercourse with one's lawful wife. That way the impressions of the



sighted woman would be removed and man will have protected his chastity."

The sighting of a handsome woman has been likened to Satan because a woman is naturally an attractive lady for a man, irrespective of his lawful status vis-a-vis a particular woman. The Islamic order of the women observing veil and remaining inside their houses is actually a contrivance to inculcate sense of modesty both in men and in women.

#### Western marriage and courtship:

The Eastern way of marriage is based on satisfaction of sexual urge. The institute of courtship is nothing but self-deception. Apparently it aims at building up familiarity to live together as man and wife. But it is actually providing chances of free sex before formal marriage. One can easily imagine how modesty and chastity can be protected under this western system of marriage. Since the bond of real moral and spiritual love does not exist between a couple, the results are not surprising that marriage bond in the western civilisation is flimsy and short-lived. The very purpose of marriage is defeated by courtship. The sense of bearing social responsibility for the support of children and mutual regard for each other to remain loyal and steadfast is never built up.

The Western bondage of marriage does not care for the support and upbringing of children, their proper moral and spiritual education, their preparation for the coming life. Father and mother both are lacking the filial love which exists even among the animals. Sexual pleasure is at

the root of all relationship and the social aspects of marriage which any civilised society upholds are disappearing. Western women some times get rid of their womb through operation with the result that no number of sexual intercourse can result in pregnancy. This evil has given birth to call girls and well organised prostitution in the western societies. It is worthy of thought if such an attitude towards sex is not beastly.

#### Importance of Modesty and Chastity in Islam:

The lawful indulgence in sex is a basic requirement of a true Muslim for the building of his character. Modesty and Chastity have been specified as the basic ends of marriage in Islam. Allah, the Exalted, has induced His obedient servants to guard their Chastity and build up high moral character.

وَالَّذِينَ يَحْمِلُونَ وِزْرَهُمْ وَالْحَافِظِينَ وَالذَّاكِرِينَ اللَّهَ كَثِيرًا وَالذَّاكِرَاتِ  
أَعَدَّ اللَّهُ لَهُمْ مَغْفِرَةً وَأَجْرًا عَظِيمًا - (الحجاب- ١٥)

(The true Muslims man and woman are those) who guard their Chastity, men and women who remember Allah much - for them all, God has prepared forgiveness and a great reward." (S-33: V-35)

The great reward promised by God for the chaste and clean men and women is no ordinary thing. It is a lasting bliss and an abiding life of prosperity. In another verse complete success and salvation in the Hereafter has been made contingent on restraint from illegal use of sex. Says Allah the Exalted:

وَالَّذِينَ هُمْ لِأُزُوجِهِمْ حَافِظُونَ إِلَّا عَلَىٰ أَزْوَاجِهِمْ مَا مَلَكَتْ  
أَيْمَانُهُمْ فَإِنَّهُمْ غَيْرُ مَلُومِينَ وَمَنِ ابْتَغَىٰ وَرَاءَ ذَٰلِكَ فَأُولَٰئِكَ  
هُمُ الْعَادُونَ (رومن-1)

"Successful indeed are the believers who are humble in their prayers, who are turn away from vain talk; who give alms; who restrain themselves from sexual desires, except with their wives, and the girls they possess, for these are lawful for them." (S-23 : V-1)

#### Chastity an essential part of Prophethood:

The lawful indulgence of sex has been very well explained in the above verses. Chastity is such an important quality of character that it is essential for the bestowal of Prophethood. No Prophet of God can ever or has ever deviated from the path of Chastity. If accusation of lewdness is even hurled against a prophet of God, God has Himself refuted it with a measure of force. In the case of Prophet Joseph (عليه السلام), a detailed account has been furnished by the Holy Qur'an as to how the wife of Aziz of Egypt tried her best to land the prophet of God in an act of indecency but God saved His prophet and eventually the woman Zalikha herself admitted that the fault was hers and that the Prophet of God was absolutely chaste and clean. Says the Holy Qur'an:

وَلَمَّا رَاوَدُّهُ عَنْ نَفْسِهِ قَا سْتَعْصَمَ (يوسف-23)

"I sought to seduce him but he was unyielding." (S-12: V-30)

Since he was a prophet of God, God warded off indecency and evil from him. Says the Holy Qur'an:

لِنَعْرِفَ عَنْهُ السُّوءَ وَالْفَحْشَاءَ إِنَّهُ مِنْ عِبَادِنَا الْمُخْلَصِينَ (يوسف-24)

"Thus We warded off from him indecency and evil, for he was one of Our faithful servants." (S-12: V-24)

In the case of Prophet Yahya (John) (عليه السلام) Allah, the Exalted praised his qualities of character in the following words:

وَسَيِّدًا ذُكِّرُوا وَتَيَّابًا مِنَ الصَّالِحِينَ (آل عمران-39)

"And as he (Zakariya) stood in the Shrine praying, the angels called out to him, saying: Allah bids you to rejoice in the birth of Yahya (John, who shall confirm the word of Allah. He shall be princely and chaste, a prophet and a righteous man." (S-3 : V-38)

The Arabic word "Hasoon" (used in praise of Prophet John) signifies complete control over sexual powers and their meticulous guard and protection.

In the case of Mary (peace be on her), mother of Jesus Christ (peace be on him), the Jews had made false accusation of fornication which Allah, the Exalted refuted in the Holy Qur'an:

وَمَرْيَمَ ابْنَتَ عِمْرَانَ الَّتِي أَحْصَتَ فَرْجَهَا - (تريم-2)

"And Allah has given as example Mariam, Imran's daughter, who preserved her chastity." (S-66: V-12)



### The status of self-purity:

Human nature is a consolidation of good and evil and Allah, the Exalted has praised all men and women who purify their souls and live a life of decency and dignity. They are called out as distinct from all those who are unmindful of purity and do not care for chaste conduct:

الْحَيَّاتُ لِلْعَيِّشِينَ وَالْعَيُّونُ لِلْعَيَّاتِ وَالْعَيَّاتُ لِلْعَيِّينِ  
وَالْعَيُّونُ لِلْعَيَّاتِ - (نور - ٣)

"Unclean women are for unclean men, and unclean men for unclean women. But good women are for good men, and good men for good women. These shall be cleared of calumny." (S-24: V-26)

While counting good qualities of righteousness God has praised the quality of chastity. Says the Holy Qur'an:

وَالَّذِينَ لَا يَدْعُونَ مَعَ اللَّهِ إِلَهًا آخَرَ وَلَا يَقْتُلُونَ النَّفْسَ الَّتِي حَرَّمَ اللَّهُ  
إِلَّا بِالْحَقِّ وَلَا يَزْنُونَ - (فرقان - ١٦)

"The true servants of the Merciful are those who invoke no other god besides Allah and do not kill the soul God has forbidden except for a just cause; who do not commit adultery." (S-25 : V-65)

This verse establishes that modesty, decency and chastity are soul of the moral life of a man. Just as polytheism degrades man as an infidel (and a rebel of his Creator), and the killing of an innocent soul cuts off all relationship with this worldly life, similarly adultery puts an end to the modesty, decency and every goodness in

man and makes his honour and self respect as things long forgotten and having no concern with the rebel sinner.

The importance of feminine honour and decency may well be guessed from the fact that, Allah, the Exalted, has made it incumbent for the women, while pledging their lives for Islam, that they would not commit adultery. Says the Holy Qur'an:

وَلَا يَزْنِيْنَ وَلَا يَقْتُلْنَ اَوْلاَدَهُنَّ وَلَا يَأْتِيْنَ بِهِنَّ اَوْ يَفْتَرِيْنَ  
بَيْنَ اَيْدِيْهِنَّ وَاَنْجُلِيْنَ - (ممتحنه - ٢)

"O Prophet, if believing women come to you and pledge themselves to associate in worship nothing with Allah, to commit neither theft, nor adultery, nor child-murder, to utter no monstrous falsehoods (concerning the falsehood of their children)." (S-60: V-12)

In explaining the above verse some people have observed that child-murder means forced abortion to empty the womb. Monstrous falsehood means that an adulterous woman, after illicit relations with many men, fixes the fatherhood of the child to a particular man according to her whim

### Valuable sayings of the Holy Prophet (ﷺ) regarding Chastity

In the books of Traditions, many events have been mentioned when the Holy Prophet (ﷺ) reprimanded young persons to avoid any approach to fornication and

learn to appreciate their valuable honour and chastity. Once he (ﷺ) said: "O young men of Quraish! Guard and protect your sex organs. Do not commit adultery. Listen! whoso guards his sex organs, he shall have his abode in Paradise."

Haracless, the Emperor of Rome asked Abu Sufyan (when he visited him): "What are the teachings of the man you are so ruthlessly opposing? Abu Sufyan said: "He enjoins prayers, charity, chastity and love and regard for close relations."

The Holy Prophet (ﷺ) said that a man who is invited by a most beautiful, dignified woman of high status to have sexual relation with him but he refuses to commit the sin for fear of God, he shall be among those who enjoys the shade of the Throne of God on the Day of Judgment when there will be no other shade against scorching heat.

A chaste person has been given guarantee of entry into Paradise by the Holy Prophet (ﷺ) who said: "that a person who assures me of guarding his tongue and his sexual organs, he is assured of entry into Paradise."

That chastity can attract the mercy and help of God is proved by a story mentioned by the Holy Prophet (ﷺ) who said: "Three men were on a journey. On the way they took asylum against inclement weather in a cave. A very heavy stone fell down and closed the opening of the cave, and imprisoning the three fellow travellers. The three travellers agreed to beseech God for help by inviting His attention with reference to some extraordinary good deed performed by each in his life. One of

them narrated that he had, for fear of God and for no other reason, desisted his evil desire to co-habit with his cousin girl who was extremely beautiful and attractive. His prayer was heard and the stone slipped away from the mouth of the cave and gave them an exit for escape.

The Holy Prophet (ﷺ) said: "whoever wishes to meet his Lord Creator in a state of purity (from sins), let him marry a gentle woman of good character." He also said: "To co-habit with one's lawful wife for maintenance of chastity was an act of charity." The companions asked, with wonder: "Does satisfaction of one's desire call for a reward as charity?" The Holy Prophet replied: "Had he sought satisfaction through illegal means, would that not be a punishable sin? An act which saved a man from sin was certainly a deed of virtue and was worthy of reward."

The Holy Prophet said: "There will be three persons with whom Allah, the Exalted, will not (even) speak nor will He purify them nor look on their faces with kindness. One of them will be an old man who committed adultery in old age; the second one will be a king who (despite his authority) told lies; and the third one will be a beggar who (despite his low social status) was boastful."

#### Spirit of Chastity among Companions:

The companions of the Holy Prophet (ﷺ) were so much imbued with the spirit of Islam that they became meticulous in avoiding evil in all forms and degrees. One of the companions, Ma'az Aslami (رضي الله عنه) lapsed into forgetfulness of Divine injunction and committed a sexual sin. But his conscience was so alive that he, instead of



concealing his fault, came to the Holy Prophet (ﷺ) and admitted his fault, requesting at the same time for the punishment under the Divine Law. He was, due to his clear confession, stoned to death. Thus he earned his atonement and salvation.

When oppressed Muslims had migrated from Mecca to Madina, Hazrat Marthad was assigned the duty of fetching the remaining Muslims from Mecca to Madina. He had to visit Mecca again and again to bring the weak and poor Muslims to Madina. On one of his visits to Mecca, an indecent woman, Unaq by name (who used to love Marsad during the pre-Islamic days) met him and asked him to spend a night with her. Hazrat Marsad instantaneously declined her offer and said: "Old days are gone. Islam has forbidden fornication in all forms. Excuse me." She threatened to make noise to attract people and to vilify Hazrat Marsad and get him arrested. Hazrat Marsad did not care for the threat and made good his escape tactfully. Hazrat Abu Moosa Ash'ari (رضي الله عنه) used to say: "I would bear and put up with obnoxious odour of a dead body but I would never tolerate the odour of a strange woman and her sight."

#### **Holy Prophet's Prayer for the safeguard of Chastity:**

Stories and events displaying the deep sense of the companions for the preservation of their decency and chastity have been narrated above. The Holy Prophet (ﷺ) was himself so cautious of the evil that he prayed to God for his protection in so many ways. One of

his prayers was: "O Allah! I pray to you to grant me guidance, piety, chastity and prosperity." Some times he would pray in the following words: O Allah! I ask you for good health, chastity, good conduct, and pleasure at the descending of Thy decree."

At times he would most humbly entreat his Lord: O Allah! Inspire in me what is good and virtuous and protect me from the evil of my carnal self."

At yet another time, his prayer would be: "O Allah! I seek refuge with you from evil conduct, evil deeds and evil intentions."

The above prayers amply manifest that the Holy Prophet (ﷺ) was ever conscious of the high value of chastity as an important part of the human character. The above quoted prayers of the Holy Prophet (ﷺ) may well be learnt by heart by every Muslim to understand the importance of chastity.

#### **Nature of Divine chastisement for the unchaste persons:**

In the great Night of Ascension (Laila-tul-Mairaj) the Holy Prophet (ﷺ) was made to see with his eyes the specimens of Divine punishment meted out to different categories of sinners for their respective sins. He beheld an oven full of blazing fire from which loud noise of cries and shrieks, weeping and sobbing were being heard. Being surprised at this extra-ordinary phenomenon, he peeped into the fiery oven and was stunned to find it full of naked men and women whose lower bodies were filled with flames and the rising flames had created a kind of fiery

tempest which caused the naked men and women raise loud shrieks and cries. He (ﷺ) asked the controller on the spot: "Who are these people?" He was informed: "They are all unchaste men and women who were in the habit of committing fornication and rape in their worldly life."

### Role of Polygamy in the maintenance of Modesty & Chastity:

The only way to remain safe and immune from the torment described above for adulterous men and women is to follow and act upon the teachings of Islam with regard to matrimonial matters. The Holy Qur'an says:

فَاَتَكِحُوا مَا طَابَ لَكُمْ مِنَ النِّسَاءِ مَعْنَى وَتِلْكَ ذُرِّيَّتُكُمْ (النساء-١)

....."than you may marry such women as seem good to you: two, three, or four of them." (S-4: V-3)

The satisfaction of the natural desires for sex may well be obtained through lawful marriage with more than one woman but not exceeding four. The only condition for polygamous marriage is that social justice must be done to all the wives and their matrimonial rights be fulfilled evenly. This is a lawful contrivance for men who are extraordinarily fond of women and do not find themselves satisfied with a single wife. Instead of seeking mistresses and resulting to illicit sex, they have been advised to take to the lawful course as provided by God.

### Justice compulsory for polygamy:

Islam does not make polygamy a necessary article of faith. It has clearly laid down the condition of social justice and equity for any man who desires to have more than one wife. Says the Holy Qur'an:

فَإِنْ خِفْتُمْ أَنْ لَا تَعْدِلُوا فَرَا حِدَةً أَوْ مَا مَلَكَتْ أَيْمَانُكُمْ ذَٰلِكُمْ أَزْوَاجُ  
أَنْ لَا تَعُولُوا - (النساء-١)

"But if you fear that you cannot do justice, marry only one or those of you who (possess slave-girls). This will make it easier for you to avoid injustice." (S-4: V-3)

Islam has effectively closed the mouth of slanderers who object to polygamy in Islam. More than one wife is allowed under condition of dire necessity and with clear provision of social justice and equity for all the wedded wives. While providing for even handed treatment with all the co-wives, the Holy Qur'an has warned.

لَا تَمِيلُوا إِلَى الْإِثْمِ الْمَيْلِ فَتَذَرُوهَا كَالْمُعْقَتَةِ (النساء-١٩)

"Do not lean inordinately to one (wife) and leave the other (wife) in suspension." (S-4: V-16)

### Rules of equity among co-wives:

Justice and equity among co-wives is not numerical. The will and intention to be fair to all the wives alike is at the root of this order. Difference of ages, differences of complexion and beauty, differences of habits and tastes of women are factor which call for wise consideration by the husband. "Justice" actually in such cases means "absence of inequity." The genuine rights of no single wife may be



ignored. Every effort be made to provide requirements at an even level. More than one wife is not the rule. It is an exception in cases when circumstances press a man to have a second wife. A wife may be barren or permanently sick or sexually frigid and not responsive. In such cases a second wife becomes a genuine necessity to ward off the evils attendant or sexual urge or the desire to beget children. Normally one wife is permitted in Islam with all the liabilities and responsibilities devolving on the husband.

#### **Law of polygamy and the critics:**

Even the non-Muslim critics of Islam have by and by, come to agree that under certain conditions polygamy becomes a necessity and can be an act of virtue and not vice. After seeing the wide spread corruption on account of free sex, some of the European thinkers have started praising the institute of polygamy as pronounced by Islam.

#### **Admission of Islamic Truth by Europeans:**

A London school teacher, Miss Mary Smith wrote in her recent book: "The rule of one wife which is in vogue in the United Kingdom is entirely wrong. Men should be given the freedom and choice to have a second wife."

The Sunday Tribune of Durban wrote about Miss Mary Smith's book: "It is certain that 2,500,000 widows of Great Britain who are above the age of 25 years, will certainly like to read Miss Mary's book."

In her book, Miss Mary wrote: "Since the women in UK far outnumber the men, it is but natural that every

woman cannot succeed in finding a spouse herself. the system of one wife has failed because it is not scientific."

In the United Kingdom much discussion took place in the 17th century regarding polygamy as an instrument for checking sexual corruption. In 1658 AD a social reformer published a pamphlet in support of polygamy to check the incidence of rape and fornication and the ever-increasing rate of infanticide. A century later, a serious type of priest advanced his considered opinion to adopt polygamy.

Famous philosopher Shopenhaur wrote on the subject: "I wish to see the men who are really satisfied with one wife. The hard truth is that every one of us is in favour of many wives. Since man, by his very nature, is fond of many women, it is unfair to place any embargo on more than one marriage."

Famous specialist on sex, Dr. Kelichin wrote in his book: "The factual position is that polygamy is practiced in England as a rule but it has not yet been recognized as a lawful practice. The society connives at the practice of men who, after marrying one woman or man, keep mistresses or boy-friends and have free sex habits. Whenever a sensible man puts up a proposal to allow men to freedom to marry more than one wife, our society begins to cry and remonstrate.

#### **An eye-opening incident:**

Abdul Aziz Shadesh, an Egyptian scholar has written that he met a Spanish gentleman in London and we discussed many points of the teachings of Islam. In the course of our talk, we discussed also polygamy. the

Spanish gentleman said wistfully: "Had I been a Muslim I would have married a second wife." On being asked as to what made him desire a second wife, he said: "My wife has become insane since many years and I have been obliged to seek friendship with mistresses because the law does not permit me to court a second wife. Had I had the fortune of wedding a second lawful wife I would have lawful children who could inherit my tremendous wealth. I would have earned peace of mind and the coolness of my eyes."

#### **Results of deviation from Divine Law:**

Mrs. Birdsel Call Kinz, Chair Person, Young Women Association made the following statement before Booking Committee in Washington: "In America the number of young girls above 14 years is 12,000,000 who are all virgins. As against this the number of young bachelors is 9,000,000. With the statistics it will be impossible for 3,000,000 virgins to find spouses this has happened because of the war in which number of male population has been reduced." Under such circumstances polygamy alone is the answer to the problem without which the horrors of free sex, rape, fornication and the attendant evils like murder, lewdness, and crime in many other forms will have to be faced.

The crux of the problem is that defenders of monogamy want to continue with free sex which does not throw additional responsibility of supporting children and the second or third wife. The positive virtue in polygamy

is that it puts a stop to waywardness, lewdness, free sex and the attendant evil in the society

#### **Admission of Truth by Hindus:**

The Madras Hindu Maha Sabha sent a memorandum to the Hindu Law Committee in which they clearly admitted that, under certain circumstances obtaining in the Hindu society, it would be unavoidable and irresistible to have not more wives. As such, polygamy must be allowed as a rule."

Islam has given a solution of the sex problem which is nearest to the human nature and is in the best interest of moral and spiritual health of individuals.

#### **Justice and equity among wives:**

When circumstances are pressing, more than one wife becomes a necessity. But the Divine Law of Islam enjoins perfect justice and equity the co-wives of a man. "If you fear you can not do justice, then be satisfied with one wife only" says the Holy Qur'an. The Holy Prophet (ﷺ) observed: "A man having two wives will come on the Day of Judgment with half of his side fallen, if he has not cared to do justice between two wives." That will be an indication of his dishonour before God and His creation. But equity is called for in material and social aspects. Equity cannot be achieved in feelings and sentiments. As such, the Holy Prophet (ﷺ) who had many wives, used to say: "O Allah! My distribution of things material is possible as I hold them but I cannot be blamed for inequity in things or matters which are beyond my capacity."



Hazrat Aisha (رضي الله عنها) bare witnesses to the fact that the Holy Prophet (صلی اللہ علیہ وسلم) strictly followed the systematic visiting turns of each wife. The turn of one wife was never allowed to be given to another wife. But he met all the wives after the Asr prayers and spent the night where the turn was."

The rule of equity was observed even during illness and travel. When the Holy Prophet (صلی اللہ علیہ وسلم) had to undertake a journey, the name of the wife to accompany him was decided by toss

#### More than four wives not allowed:

Islam has given enough latitude to men to marry one, two, three or four wives. the purpose behind this rule is that lawful sexual activity may become the practice in this society and lewdness and indecency may be checked and curbed. Polygamy is not allowed for licentious life. During early days of Islam, there were persons who had more than four wives in pre-Islamic days. On embracing Islam they were allowed to retain only four wives of their choice and divorce the rest. Some events confirm this usage. Abdullah bin Umar (رضي الله عنه) narrated that, when Ghilan bin Salmah Saqqi embraced Islam, he had nine wives who also embraced Islam. The Holy Prophet (صلی اللہ علیہ وسلم) asked him to choose four of them and leave the others. Similarly, Qais bin Thabit (رضي الله عنه) embraced Islam and had eight wives. He sought advice of the Holy Prophet (صلی اللہ علیہ وسلم) regarding his wives and was advised to retain only four.

### Choice and obligations in matters of Marriage:

Moral health and spiritual uplift of man are the basic virtues of Islam. Just as Islam has allowed polygamy to stop lewdness and profligacy, it has also given free choice to both men and women in the matter of courting marriage or selecting a spouse.

#### Right of selection:

Within the limits laid down by God, a man is free to make his selection for a bride. Says the Holy Qur'an:

فَأَنْكِحُوا الْأَطْفَالَ الَّذِينَ نَكَحْتُمُ النِّسَاءَ (النساء - 1)

"You enter into marriage bond with women of your choice and liking." (S-4: V:3)

The choice will be confined within the lawful categories of women who have been mentioned in detail in the Holy Qur'an. Since marriage is the start of practical life and the nature of life partner counts a lot, Islam has not put any embargo, whatsoever on selection of a woman by a man or the selection of a man by a woman.

#### Extirpation of tyranny and oppression:

When we study the guidance given by the Holy Qur'an in matters of marriage and marital life, we would realise that neither a young man nor a young woman have been deprived of their personal desires and are fully allowed to exercise their choice. The guardians of women used to bring un-necessary persons to bear on young women in the matter of marriage, particularly when the

young women were orphans. Islam has not allowed such under pressure. During the pre-Islamic days, a woman considered to be an item of property and the husband looked upon his wife as a purchased commodity. Islam corrected this mis-understanding and taught its' followers to be kind and considerate to their wives, pay them their dower with pleasure and well in time and recognise their rights without hitch.

The guardian of a young woman can give his wise advice based on life long experiences so that the woman is saved from any pit falls. The young women and men being immatures and in-experienced would be well advised to consider the advice of their elders and parents. But the final decision would always rest with the boy or girl who has to marry.

#### **Counsels of the Holy Prophet (ﷺ):**

In matters of matrimony, the Holy Prophet (ﷺ) gave most wise and valuable counsels which are reproduced below:

- i) "A widow should never be re-married until her free consent has been obtained. Similarly a virgin should not be married until she has exercised her freedom of choice and expressed it without any duress:
- ii) "A widow has a greater right to decide her future than her guardian/parent. The virgin must give her free consent and her silence will be considered as her tacit consent."

- iii) "A widow is herself absolutely free to arrange and decide her re-marriage. A virgin should be asked to give her choice and her consent through her father. Her tacit consent will be considered sufficient."

It is worthy of notice that, while granting to a virgin girl this right of choice and selection, Islam has kept in view her natural, inherent modesty and her tacit consent by her silence has been accepted as explicit consent.

#### **Dissolution of marriage without consent:**

During the early period of Islam instances have been cited by the historians when a marriage commemorated under duress was dissolved under orders of the Holy Prophet (ﷺ).

A woman companion, Hazrat Khausa bint Hazam was married by her father to a man she did not like. She came to the audience of the Holy Prophet (ﷺ) and complained. Her supplication was considered favourable and the marriage was ordered to be dissolved.

Another event has been narrated by Abdullah bin Abbas (رضي الله عنه) when a virgin girl came to the Holy Prophet (ﷺ) and complained that her father had given her hand in marriage to a man she did not like. The marriage was dissolved.

A similar event has been narrated by Baudah (رضي الله عنه). According to his statement, a young woman came to the audience of the Holy Prophet (ﷺ) and said that her father had given her in wed-lock to his cousin brother



whom she did not like. On ground of dislike the Holy Prophet (ﷺ) announced that the young woman was at liberty to retain or to break off the wedlock. She heaved a sigh of relief and said: "My effort was to obtain a decision of the Apostle of Allah in an important matter when freedom of choice of women was involved. I shall not change the decision of my father. But I wish to tell all women (in Islam) that father or grand father of any woman does not have a revocable power in the matter of marriage."

The above events where the decisions of the Holy Prophet (ﷺ) have been clearly brought out, made it absolutely clear that a mature, young woman is fully competent to decide her future course of matrimonial life. The basic principle of maintaining modesty and guarding female honour and chastity is best achieved when the woman has a decisive say in the matter.

#### **Role of Father, Guardian:**

At the same time the considered opinion of a father or a guardian based on sincere well-wishing cannot be summarily subjected and must be given due weight. At times a young man or a young woman may be led by sentiments to arrive at a wrong and hasty decision which may in the long run upset the married life of the individual. As such, consultation with senior members of the family, particularly parents, is necessary and, at times very useful. But the final decision must rest with the man or the woman who has to live the married life and to face its rough and tumble.

#### **Views of Famous Muslim Scholars:**

Matrimonial matters are of such great importance that it would be useful to bring on record the considered reviews of renowned Muslim Scholars like Hazrat Maulana Muhammad Anwar Shah, Hazrat Shah Wali ullah of Delhi and Imam Nowi.

**Anwar Shah Sahib opined:** "The guardian or for that matter, the father has absolutely no power to exercise coercion in the matter of marriage. However, in the case of a minor girl, the father shall have decisive power. When there is difference of opinion between the concerned woman and her lawful guardian, preference shall be given to the opinion of the woman."

**Shah Wali ullah of Delhi:** observed in the matter of marriage, the opinion of the woman alone would not be sufficient, because her thinking is always deficient and immature. God has made men the heads of families and rulers of the setup. If a woman takes a unilateral decision, it would look like an act of immodesty. The presence and active concern of the lawful guardian is necessary to distinguish between lawful Islamic marriage and secular love marriage. Publicity of the wedlock is also a necessity under the Islamic law and the woman must consent her lawful guardian and give due weight to his opinion. But the guardian does not have the power to decide the wedlock merely by his personal opinion. Since the effect of a correct or incorrect decision will fall on the

woman, it is absolutely necessary to obtain her final view which should be upheld as decisive."

**Imam Nowi:** appears to have agreed with the views of Sahah Wali ullah. His words may be quoted: "The right of the woman is certainly more weighty than that of a guardian. If the guardian insists on the woman wedlock with a particular man of status against the consent of the woman, the guardian shall be forced to change his view. If he insists, the Qai (Shariat Court) shall end the wed-lock in accordance with the wish of the woman.

The sum total of discussion on the subject is that, at the time of wedding free consent of the woman must be obtained without which the marriage may end in troubles for both sides. If the woman does not like the match, she is likely to fall in trials and indecent living.

#### **Right of choice for Men:**

As in the case of females, the freedom of choice in the matter of wed-lock is equally important for bachelor young man. Since a male bachelor has never been considered to work under duress, there may not be prolonged discussion on the subject. It is, however, advisable for every young man to consult his aged parents, well-wishers and friends before deciding upon his final choice of a bride.

#### **Prophetic counsel in the selection of Bride:**

In the selection of a bride, the Holy Prophet (ﷺ) gave most valuable counsel to the prospective

young man for the selection of an ideal wife. He said: "A woman is sought in marriage for four qualities: her prosperity and opulence; her pedigree and family status; her beauty and graces; and finally her character, morality and faith or religious bias." All the four conditions are worthy of consideration and there are pros and cons for each quality. A rich woman and a woman with high family background may turn out to be insolent, disobedient and rude. A beautiful woman may be self-conscious and boasting and ignoring the right of her husband. But a woman with high character, morals, faith and knowledge will always keep in view the teachings of Islam and, under thick and thin, will prove to be loyal to the husband and run his house in a proficient manner. The Holy Prophet (ﷺ) gave the following advice for the benefit of young bachelors: "Do not marry woman for the wealth (alone) because their wealth is likely to make them arrogant."

Similarly pedigree and family status are not the qualities to influence a correct decision. Again beauty and graces of a woman may become the cause of troubles and trials for the man. The Holy Prophet (ﷺ) advised "Do not wed a woman only on grounds of beauty because most often their beauty may land the family in ruin."

Good character, good morals and religious knowledge and bias are the best qualities for which a woman may be selected for wed-lock. The Holy Prophet (ﷺ) advised: "You should marry women on the basis of their good religion." A religious lady is always conscious of the rights of her husband as taught by Islam.



She runs the house-hold to the satisfaction of her husband. She is devoid of arrogance and takes pains to bring up her children on Islamic lines. She is not quarrel some, and maintains good and amicable relations with the relatives of her husband. She is liked by her neighbours for her good conduct and adds to the dignity of her husband's house. The Holy Prophet (ﷺ) said: "A man who is fortunate to have (i) a grateful heart in his bosom; (ii) a tongue in his mouth which is committed to the continuous memory of God; (iii) a physical body which is patient and forbearing under troubles and trials and (iv) a virtuous wife who avoids evil in every form and jealously guards the property of her husband. Such a man has been granted the best of every thing in this world and the Hereafter."

Scholars of Islam have recommended that a woman of good character, morals and modesty may be accepted as a bride. Too tall, too short, ugly, very aged and given to lewdness may not be accepted in marriage.

#### Points of preference in selection of a Bride:

From detailed study of Traditions of the Holy Prophet (ﷺ) and the scholars of Jurisprudence, it has come to light that, good morals, good character, righteousness, religious bias are the qualities which must be preferred to other matters in selecting a bride. However handsomeness and age are factors which should not be lost sight of. Good character combined with beauty and graces is certainly to be preferred. The Holy Prophet (ﷺ) recommended to the young bachelors among his followers to go in for virgins for their wed-lock. He said: "you

should marry virgin ladies because they are sweet in speech, futile to bear many children and are satisfied with whatever is available of worldly comforts."

#### Marriage with Widows:

Although inducement has been given for marriage with virgin ladies who may be good looking and modest. But there is no taboo to marry widows. If a bachelor male is of advanced age and wishes to enter into wed-lock, he would be well-advised to avoid virgins of small age and childish looks and may seek a scorned, experienced and graceful widow for marriage. Such a marriage would invariably be successful and blessed.

During the blessed era of the Holy Prophet (ﷺ) and his great companions, widows were frequently sought for marriage. The Holy Prophet (ﷺ) himself married all the widows except Hazrat Aisha (رضي الله عنها) who was a virgin. He got his widowed daughters re-married. Some renowned companions and caliphs of the Holy Prophet (ﷺ) married widows. Some of the woman companions re-married after death had separated their husbands from them. History tells us about the marriage of widows in large number, and from the Islamic view point, provisions of widows and marriage with them are acts of virtue because re-marriage of a widow saves her from life of want, poverty and deprivation. She re-enters the normal channel of life activity and plays her role as a useful member of society.

### Sighting the person of a woman before Marriage:

Islam has permitted that a prospective bachelor may catch sight of his fiancée before the marriage is consummated. This is conducive to the protection of modesty. The Holy Prophet (ﷺ) said: "Whenever anyone among you (Muslims) proposes marriage with a woman, he should, if possible, catch sight of her person."

The seeing of the person is full of many advantages. It will, if the woman is liked, confirm the intention of marriage. It will obviate all chances of criticism of defects, if any, after the marriage. To obtain relevant details about the proposed match is necessary.

The Holy Prophet (ﷺ) advised Hazrat Moghira bin Sha'ba to catch a sight of the lady he had intended to marry because that would be helpful in connecting mutual relations. According to Imam Tirmzi, sighting of a fiancée would be conducive to mutual love and regard during the married life.

According to Hazrat Abu Horairah (رضي الله عنه), the Holy Prophet (ﷺ) commanded a man to see his proposed bride (who was an Ansaria) and uttered the following words: "Go and see the woman because in the eyes of the Ansar woman there is some thing you may not like." According to Imam Nowi, catching a glimpse of the fiancée is advisable. This view is showed by Imam Abu Hanifa, Imam Malik and Imam Ahmed.

For the sighting of the proposed woman her permission is not necessary. As a matter of fact, the sight-

seeing should preferably be done without notice and without knowledge of the concerned woman, if possible. If personal sighting is not possible, it may be done by a reliable woman who may report pros and cons of the person of the lady.

Two of the organs, face, and hands may be seen with advantage. These two organs are beyond the Islamic 'satar' (fit to be hidden). the face will reveal the beauty and graces and the hands and arms will reveal the standard of physical health and bodily structure.

As against this useful contrivance made permissible in Islam, the western and the non-Muslim usage of courtship is highly objectionable and fraught with moral dangers. If a man and a woman meet each other before actual marriage and live with each other for some time, the chances of their illicit relations cannot be ruled out. This situation is highly objectionable from Islamic view point and it defeats the very purpose of marriage in Islam which seeks to protect the modesty and chastity of a female. Before the consummation of marriage a male and a female are strangers to each other and are not allowed even to sit closely together and enter into conversation and discussion. The sighting of a would-be bride has been allowed only as a precaution to obviate chances of criticism by the man about any defects which may become known after the marriage.

Allama Rashid Raza, an Egyptian scholar wrote: "For the last 30 or 40 years I have carried out research on the marital relations between men and women. I have read carefully a lot of literature on this subject and have written



many pages in my commentary "Al-Minar." But I firmly disbelieve when thinkers both in east and west opine that satisfactory marital life and the pleasure attendant on it depend on the pre-marriage acquaintance of a male and a female and on the mutual love developed in the course of their courtship."

The courtship formula has proved to be ineffective and harmful because initial love is gradually diminished after marriage and, as the Arabian proverb goes:

marriage puts an end to the love which a man and a woman may be having before marriage. Sentiments subside when hard realities of life are faced both by man and woman.

The correct attitude which requires to be adopted was taught by Hazrat Umar (رضي الله عنه) when an outspoken woman told him (as head of the State): "I have no natural love for him." She was wisely advised: "When a woman does not have natural love for her husband, she should not tell him, because sentimental and heart to heart love is rare. Let married couples live in accordance with the teachings of Islam and have mutual regard and respect within the Divine injunctions. Let them discharge the obligations developing on each and have regard for the mutual rights as fixed by Islam. He added: "Man and wife would be well-advised to express more love for each other than they actually feel. That way their amicable relations will improve with the passage of time and their family life would become happy and satisfactory."

### **Responsibility of Parents towards Boys and Girls on attaining puberty:**

The teachings of Islam comprehend all necessary injunctions and inducives which may become conducive to the protection of human modesty and chastity. Keeping in view the nature of man, Islam provides necessary steps to fight successfully the evil trends of human nature and to tame them for the building of an ideal character.

It is worthy of notice that Islam has permitted the bonds of marriage between boys and girls even before they attain puberty. This is a kind of pre-arming the human cared self so that, when boys or girls enter the threshold of youth and the sexual urge awakens in them, they already have the lawful means to meet the situation.

### **Emphasis on Marriage after puberty:**

After a boy or a girl has attained maturity Islam makes it incumbent on their parents to lose no time in providing them spouses. This is an age when sentiments are always ruling the intelligence of a young man or a young woman. The chances of going astray are immense and timely marriage can save individuals from making their career. The youth have been particularly addressed in the following words: "O young people! whosoever among you has satisfactory sexual powers, he must get married."

The youthful age starts on attaining puberty and continues till the age of 32 or 33 years. From 30 to 40 years it is the middle age and beyond 40 it is old age.

**Burden of marriage on father:**

The attainment of young age by sons and daughters increases the responsibility of parents, particularly the fathers, to arrange marriage for them. Besides being shy and modest, the young man and woman do not have the material-means to defray expenses of marriage. As such the Holy Prophet (ﷺ) gave suitable distinction: "When a man is blessed with a child, let him give his child a good name. He should bring him up on sound moral grounds and, when attains young age, the father must get him married. If the father fails to marry his son and he gets involved in any sin, the father will be held responsible for it." (Mishkat)

Another Tradition is particularly about the daughter. It says: "It is recorded in Torah that, if a man's daughter reaches the age of twelve years and he does not get her married, any moral lapse or sin committed by the girl will be the liability of her father." (Mishkat).

**Importance of marriage and its stability:**

Whereas Islam has made it a father's responsibility to arrange timely marriage of his son or daughter, the son or the daughter are also required to understand its importance and not to oppose any such proposal made by the father. It is the father's responsibility to make a suitable selection of a match for his son or daughter. Among other things he should have his eyes on the moral and religious sectors of prospective candidates. A boy or a girl with good religious background is expected to prove loyal and such a marriage may be stable and without

troubles. God has forbidden marriage of Muslim males with polytheistic females:

"Do not marry the polytheist until they have embraced Islam and becomes faithful."

The Muslim scholars have explained in detail the importance of this embargo as laid down by God in the Holy Qur'an. Shaikh ul Hind Maulana Mahmood ul Hassan writes: "Marriage is such an institution that a man and a woman get most close and near to each other. Their mutual love, their actions and speech, every thing has an effect on the other party. If the wife or the husband is a non-Muslim polytheist, the effects of evil belief are bound to fall on the Muslim wife or husband who uphold monotheism. A prolonged association with a person of evil faith may change the heart of the other party and may land him in the Fire of Hell. As such, such marriage must be eschewed." Shah Wali ullah of Delhi has also expressed similar views.

Apart from moral and religious draw-backs of marriage with non-Muslims, even from worldly point of view, the chances of such a marriage being successful are rare. When thinking is not alike, faith and belief is not alike, married life cannot give love and loyalty to the parties and there can be chances of frequent bitterness and temperamental differences. There are fears of modesty of the two sides being affected. As such, no Muslim should think of marrying a non-Muslim.



**Problem of Equity:**

The necessity of amicable relationship between husband and wife, mutual love and regard, gave rise to consideration of equity among Muslims – equity of moral status, physical status and to some extent even material status. It was recognized as a working principle that a man of virtuous character may not be married to a woman of doubtful character and vice versa.

The Holy Qur'an taught the following cardinal principle to the Muslims:

الَّذِينَ لَا يَكِلُهُمُ إِلَّا زَانِيَةً أَوْ مُشْرِكَةً وَالزَّانِيَةُ لَا يَنْكِحُهَا إِلَّا زَانٍ  
أَوْ مُشْرِكٌ وَحَرِّمَ ذَلِكَ عَلَى الْمُؤْمِنِينَ (نور - ١٠)

The adulterer may marry only an adulteress or an idolatress; and the adulteress may marry only an adulterer or an idolater. the believers are forbidden such (marriages).” (S-24: V-3)

The above verse teaches us that an adulterer and an adulteress cannot become equitable matches for a virtuous woman and virtuous man. This is because of the prominent difference in the way of life and conduct of the two groups. If a union is effected between those, the chances of their successful marital life are very rare. The Holy Qur'an further amplifies this point on another occasion: It says:

أَتَمَرُّكَانَ مُؤْمِنًا كَمَنْ كَانَ قَائِمًا لَا يَسْتَوِي - (البقرة - ٢٠)

“Can he, then, who is a true believer, be compared to him who is an evil-doer? Surely they are not alike.” (S-32: V-18)

Equity in material status is not of much importance with the jurists of Islam except Imam Shafi'i who considers it important. In actual practice, material difference of status does not stand in the way of amicable relations between the husband and the wife.

**Equity on grounds of family lines:**

Some of the scholars of jurisprudence have attached importance to pedigree and family life while considering marital relations. The basis of such importance only rational. Experience has shown that difficulties do arise at times between the parties on account of material status. But as put by scholar Ibn Hajr, the quality of family status finds no support from the Holy Qur'an or the Traditions of the Holy Prophet (ﷺ). On the other hand, it transpires that, during the golden era of the Holy Prophet (ﷺ) and the companions, no importance was attached to difference of family status. Imam Bokhari (رحمته) has made mention of two such marriages where family status did not stand in the way of marital bonds. The first event is about Hazrat Abu Hozafah (رضي الله عنه) (who fought in the Battle of Badr and was a companion of high status). He got his niece Hind bint Walid married to Hazrat Salim who was an emancipated slave of a woman from the Ansar. The second event relates to Zabaa Bint Zubair (رضي الله عنها) who was married to Hazrat Miqdad in

spite of the fact that Mst. Zabaā was a lady of very high family status.

Hafiz Ibn-ul-Qayyim has written in detail and proved that family status has no value with Islam. He has proved that to attach undue importance to family status is against the teachings of Islam. Allah, the Exalted, has made families and class as a means of recognition and discernment among the people inhabiting the globe of the Earth. Islam attaches no importance to it. The teaching of Islam is:

إِنَّمَا الْمُؤْمِنُونَ إِخْوَةٌ (حجرات-۱)

"The believers are brethren.: (S-49: V-10)

and

"Man, We have created you from a male and a female, and make you into nations and tribes that you might get to know one another. The noblest of you in Allah's sight is the most righteous of you. Allah is Wise and All knowing." (S-49: V-13)

The Holy Prophet (ﷺ) forbade that, except good morals, good faith and good conduct, nothing he made a basis for determining relationship among Muslims. Once he (ﷺ) said: "The sons of such and such tribe are not my friends. My friends are only the righteous and

the God-fearing, whoso they be and whosoever they be." This fact is also well known that the Holy Prophet (ﷺ) got Zainab bint Jahash (رضي الله عنها) (A Quraish lady of high status) married to his emancipated slave Hazrat Zaid bin Harisa (رضي الله عنه). He also got Fatima bint Qais of Fahr Tribe married to Osama the son of Hazrat Zaid. He also got Hazrat Bilal bin Rabah, a negro, married to the sister of Hazrat Abdul Rehman bin Auf (رضي الله عنه) (a companions of very high material status also). The above events fully establish that family status has no importance, whatsoever, in Islam.

#### Declaration of marriage bonds:

The aim and purpose of Islamic law and teachings is to stop all possible inlets of immodesty and lewdness and to inculcate true piety and chastity in the Muslim nations. With this aim in view, great importance has been attached to the public announcement and declaration of a marriage bond between a particular man and a particular woman so that the people at large know it for certain that so and so are going to live as husband and wife. This has abbreviated the slightest chances of hidden relations which Islam has condemned and made unlawful. Another important condition of Islamic marriage is that two men or one man and two women must bear witness to the proposal of a marriage and be present at the time of consummation of marriages and put their signatures to the deed of marriage. The Holy Prophet (ﷺ) commanded: "Pronounce a marriage bond and arrange



marriages in the mosques (which are public places) and also make it widely known by a beating of the drums."

#### Necessity of open declaration of marriage:

Look at the wisdom of Islamic teachings and practice. If an Islamic lawful marriage is not openly declared in the public even by beating of the drum, unclear and vicious people would drag licentious and illicit sexual relations into the pale of lawful marriage. Allah, the Exalted, has forbidden it strongly. Says the Holy Qur'an:

"Lawful to you are the free believing women and the free women from among those who were given the Book before you, provided that you give them their dowries and live in honour with them, neither committing fornication nor taking them as mistresses." (S-5: V-5)

and

"Marry them with the permission of their masters and give them their dowry in all justice, provided they are honourable and chaste and have not entertained other men." (S-4: V-25)

#### Publicity of marriage through marriage feast:

The announcement in public of the marriage has been a very chaste and interesting way of giving publicity to the marriage bond between a man and a woman. Another way of publicity which every one would appreciate is the holding of a marriage feast by the husband after he has spent a night of privacy with his newly wedded bride. The holding of the marriage feast (Walima) has been greatly emphasised in the Traditions of the Holy Prophet (ﷺ) who himself set examples and precedents on the occasion of his marriages. When he (ﷺ) was married to Hazrat Zainab bint Jahash (رضي الله عنها), a goat was slaughtered for the marriage feast to which many of the companions were invited. When his marriage with Hazrat Safiyya (رضي الله عنها) was solemnised, a sweet dish called "Habees" was prepared and people were invited to this feast. This dish is a peculiar Arabian dish in which dates, cheese and butter oil are mixed. On certain other occasions, feast of barley bread was arranged due to peculiar circumstances. The companions of the Holy Prophet (ﷺ) were included to arrange marriage feast. Hazrat Abdul Rehman bin Auf (رضي الله عنه) narrated: "The Holy Prophet (ﷺ) said to me to arrange marriage feast even if it is confined to the slaughter of one goat." Some scholarly Muslims have given "Walimah" the status of 'Wajib' i.e., almost essential and obligatory. But most scholars of Islam have agreed that it is not obligatory but a traditional practice after the Holy Prophet (ﷺ).

**Invitation to marriage feast to be accepted:**

On one hand the Holy Prophet (ﷺ) by precedent and by his word induced the holding of a marriage feast, on the other hand he also induced his followers to accept and participate in the "Walima" or marriage feast. He (ﷺ) said: "When any one (among you) is invited to a marriage feast, he must accept it." The marriage feast is not exclusively for the participation of gesture and men of social status, it should also be open for participation by the poor and the needy. He (ﷺ) said: "The most evil marriage feast is that in which only the rich are invited to participate and the poor and needy are ignored." Another saying makes it a pressing need to accept and participate in the marriage feast. "If anyone is invited to a marriage feast and he does not participate in it, he has indeed disobeyed Allah and His Apostle."

All the formalities for the publicity of "Nikah" (lawful marriage) have been emphatically introduced in the legal system of Islam to remove all doubts and misgivings regarding the consummation of marriage between a particular man and a particular woman.

**Freedom to enjoy lawful Sex:**

After marriage under the Islamic law, full freedom is allowed for enjoyment and sexual activity between the husband and wife. There are no formal or informal implements in the way of free enjoyment and pleasure. Then no taboos of time or period or weather conditions.

**Limited prohibition during a year:**

In an entire year freedom of sex is allowed except during the fasting month and that too, only during the day time when Muslim men and Muslim women are observing fast from dawn to dusk. After the break of Fast freedom of sex is returned for the whole night till the dawn when meals are taken for the next Fast. Says the Holy Qur'an:

أَحِلَّ لَكُمْ لَيْلَةَ الْفِطْرِ إِلَى أَنْ تَأْكُلُوا مِنْهُ  
رَبَائِشَكُمْ وَأَنْتُمْ حُرِيصٌ عَلَيْكُمْ - (نور-٢٢)

"It is now lawful for you to lie with your wives on the night of the fast; they are an apparel to you, as you are an apparel to them. Allah knew that you were deceiving yourselves. He has relented towards you and pardoned you. Therefore you may now lie with them and seek what Allah has ordained for you.....and do not approach them (your wives) while you take to your mosques (for Eitkaaf)." (S-2: V-187)

Except during the month of Ramzan a married woman cannot Fast without the permission of her husband.



**During monthly course and family way:**

There are two such occasions when every mature woman is inflicted with a kind of pollution, one of them is the menses or the monthly course and the second is delivers a child. The Islamic term for the monthly course is "Haiz -or- Mahuz" which is a kind of dirty blood oozing from the private part of a woman who is not pregnant. It comes every month. Its maximum duration is 10 days and minimum duration is 3 days. The other pollution under the Islamic name is "Anfaas" which is the maximum period is 40 days after the delivery of a child. During these periods of natural pollution, husbands are forbidden to have sexual intercourse with the wives. Even natural sense of cleanliness makes it undesirable to get close to the woman. From medical point of view, any intercourse during these period can result in the affliction of fatal diseases. The Holy Qur'an specifically mentions it:

يَسْأَلُونَكَ عَنِ الْمَحِيضِ قُلْ هُوَ أَذًى فَأَعْتَزِلُوا النِّسَاءَ  
فِي الْمَحِيضِ وَلَا تَمْسُوهُنَّ حَتَّى يَطْهُرْنَ فَإِذَا تَطَهَّرْنَ  
فَأُولَهُنَّ مِمَّا حَرَّمَ عَلَيْكُمْ إِلَّا مَا كَرِهَ اللَّهُ (البقرة - ٢٨)

"They ask you about menstruation. Say: "It is an indisposition. Keep aloof from women during their menstrual periods and do not touch them until they are clean again. Then have intercourse with them as Allah

enjoined you. Allah loves those that turn to Him in repentance and purify themselves." (S-2 : 222)

After the periods of pollution there is absolutely no prohibition from sexual intercourse. As a matter of fact the capacity to get pregnant improves after the periods of pollution.

**Decent and Laconic description of sexual relations:**

The language used in the Holy Qur'an for the description and injunctions about sexual relations is most decent and eloquent. It describes the natural urge between male and female for the accomplishment of human personality in a most civilized and decent language. It says:

هُنَّ رِيَاشٌ لَكُمْ وَأَنْتُمْ حَرِيصٌ لَّهُنَّ (البقرة - ٢٢٠)

"The (the women) are your garments and you are their garments." (S-2: V-183) and

نِسَاءُكُمْ حَرْثٌ لَكُمْ فَأُدْخِلُوا فِيهِمْ - (البقرة - ٢٢٣)

"Women are your fields; go there into you - fields as you please." (S-2: V-223)

How eloquently the delicacy and wisdom of marital relations has been described. Men can save women from immodesty and guard their chastity and so do women guard the honour and chastity of men. Men are thus an embellishment for women and women are a decoration for

men. W-men have been described as a dress for men which men uses at will without hitch. There is also a sign of mutual love and delicacy of feeling in the use of the word "Dress." Similarly women have been described as fields for men where they may sow the seeds without let or hindrance and reap the harvest of handsome sons and daughters after an appropriate period. Any number of conjugal relations has been made permissible with the use of the word "Fields" for women. The harvest of children belongs to men.

#### Why sodomy is forbidden:

The preceding verse of the Holy Qur'an calls women "your fields" so that you may sow the seeds of male semen and reap the harvest of beautiful children. The last part of verse 222 of Surah-2 clearly enjoins that only the front of the female sex organ is to be used for male entry and not the back. The Divine purpose of the mutual sexual relations of man and woman is to beget children and multiply the human race. Since this purpose cannot be fulfilled and is frustrated by using the back of the woman, it is strictly prohibited. This point has been further amplified in the Traditions (sayings) of the Holy Prophet (ﷺ) who said: "Whoever approaches a woman during the menstrual period or wants an entry into the back hole (meant for stools) or whoever goes to a sooth-sayer, he has (in fact) rejected the religion revealed to Mohammad (ﷺ)." Again he (ﷺ) said: "If a man has sexual intercourse with a man or enters the hind part of a woman, Allah shall not cast a glance (of mercy)

on him. Another saying gives a stern warning. It is said: "Those who commit the act of sodomy with women, they have rejected the faith of Islam and are unbelievers."

#### Love and kindness between husband and wife:

The Holy Qur'an has described the marital relations as of mutual love and kindness. God says:

وَمِنْ آيَاتِهِ أَنْ خَلَقَ لَكُمْ مِنْ أَنْفُسِكُمْ أَزْوَاجًا لِتَسْكُنُوا إِلَيْهَا  
وَجَعَلَ بَيْنَكُمْ مَوَدَّةً وَرَحْمَةً - (٢٢- ٢٣)

"And of His signs is that He gave you wives from among yourselves, that you might live in tranquillity with them, and put love and kindness in your hearts. Surely there are signs in this for thinking men." (S-30: V-20)

In another verse this point has been re-emphasised:

هُوَ الَّذِي خَلَقَكُمْ مِنْ نَفْسٍ وَاحِدَةٍ وَجَعَلَ مِنْهَا زَوْجَهَا لِيَسْكُنَ إِلَيْهَا (الدحر: ٢١)

"It was He who created you from a single being. From that being He created his mate (wife) so that he might find comfort in her." (S-7: V-189)

In many decent ways God has described the pleasure and advantages of marital life and gave guidance for the natural peace and tranquillity in the sexual process of male and female. As a matter of fact, provision of peace and tranquillity to every living being (besides human beings) has been the merciful habit of God.



### Undue indulgence and love with wife and children:

God has, in His eternal wisdom, made wives and children most lovable for men. This love and pleasure is also a trial for men if it exceeds reasonable bounds and limits. The remembrance of God, His worship and obedience are to be kept above every worldly love and pleasure. God, has, therefore, given a warning to the believers:

يَا أَيُّهَا الَّذِينَ آمَنُوا إِن مِّنْ آدُلٍ أَكْبَرُ مِنِّمُؤْمِنِكُمْ أُولَآئِكَ يَمْشُونَ فِي الْأَرْضِ بِحُكْمٍ وَأُولَآئِكَ هُمُ الْمُفْسِدُونَ  
فَاخْذِرْهُمْ وَأَنِتَّفِعُوا بِمَا كَسَبُوا فَإِنَّ اللَّهَ هُوَ الْغَفُورُ  
رَحِيمٌ -

"That some of your wives and children may be your enemies, so be careful in your indulgence in them. If you connive, forget and pardon their faults, Allah is Oft Forgiving, Merciful." (S-64: V-14)

In explaining the above quoted verses of the Holy Qur'an, Maulana Shabbir Ahmed Usmani (a great scholar of Islam) has observed: "The under love of family and children can land a man into many vices such as corruption, lying and deceiving others with the sole purpose of reaping advantages of worldly nature for the benefit of his family and children. Such a man often forgets the hour of accountability before the Tribunal of God and may face disgrace and punishment on the Day of Judgment. Such wives and children who made man ignore all moral limits in the acquisition of wealth and comforts for his family, are certainly enemies of a man and he must

avoid them on that score. But there are also good exceptions when wives and children are beneficial for the moral uplift of man and help him in upholding the injunctions and prohibitions of God."

### The rights and duties of a Muslim Husband:

In order that the stability and propriety may become the keynotes of marital life which is a great source of peace, tranquillity and pleasure for both participants, Islam has proposed some injunctions for the husband to understand his rights as head of a family and some duties and obligations which he must learn to discharge towards his wife and children. Marriage is a social contact which is often executed between two persons unknown to each other before marriage. Each has a separate family background, separate temperament, separate inclination, likes and dislikes. The co-efficient of intelligence is also very often not at par between man and wife. In order that a harmonious family life may become possible, Islam has issued certain instructions for men to act upon and certain other instructions for women to bear in mind. The qualities which wishes to see in a good Muslim husband are enumerated below:

#### Patience and Forbearance:

The difference of opinion between a man and his wife are not an extraordinary event. This can become an occasion for the breach of delicate relations which has to be avoided at all cost because any extreme in difference of opinion can lead to steps of immodesty

and even a breach of human honour. Women are short natured, unstable of temperament and at time rude and insolent. These weaknesses of the female character are to be cheerfully faced by men who have been advised by God and His Prophet (ﷺ). Says the Holy Qur'an:

وَعَايِزُكُمْ يَا عَزُوبٌ قُلْنَ كَرِهْتُمُوهُنَّ لَعَلَّكُمْ تَكْرَهُوا شَيْئًا وَفَعَلَ  
 اللَّهُ فِيهِ خَيْرًا كَثِيرًا  
 (النساء-٢٠)

"And have a normal, amicable living with women, even if you dislike them, May be that you dislike a thing and Allah may create in it great good and benefit." (S-4: V. 19)

Men have been asked to use their intelligence and not sentiments when faced with the sentiments of women. They should learn to be forbearing and patient. The Holy Prophet (ﷺ) gave great good counsel to Muslim husbands: "A Muslim (husband) should not bear grudge against his wife if some of her habits are not to his liking. May be that the wife has many good habits and traits of character against her bad trait of character disliked by the man (husband)." He (ﷺ) advised men in a scientific way, telling them the weak point in female character as created by God Himself. He said: "Take my advice. Do good to women. They have been created from the Ribs of Adam (عليه السلام), particularly the upper Ribs which are very crooked. If you wish to straighten it out, it (the Rib i.e., women) will break. If you leave it to its nature, it will remain crooked so take my advice

regarding women (leave them without undue hardship)."

Reformation of women is not entirely forbidden. But it must be carried out within the framework provided by nature. Her slight improvement should satisfy you. Lenience, love, soft speech and amicable demeanour are good factors for the reformation of women. Her indoor duties some times make it impossible for the husband to understand difficulties and problems.

#### Softness and leniency:

The keynotes for a happy and amicable family life are softness and leniency towards the females Hafiz Ibn Hajr, while explaining the verse: "Save your own souls and your families from Hell-fires" - has advised that women must not be left without reformation. But the correct way of reformation is that it should be effected gradually and with extreme softness and leniency. Many of their shortcomings may be ignored and pardoned. It is also important that occasional insolence and rudeness on the part of women must be ignored and pardoned because, by their very nature they are short-tempered and not thoughtful. Virtue should be taught with wisdom and soft speech.

A woman, by her very nature is given to changes in temperament. Her psychology needs to be properly understood under the saying of the Holy Prophet (ﷺ) "Women are (often) ungrateful for the services and goodness of their husbands. If you do them favours for a whole life, they would not realise and get upset and become insolent if there is a slight



happening to their dislike and speak out: 'No good have I ever seen from you.' With this back-ground of female nature, it would be useless to take women to task in day to day differences. A man has been created by God to bear unpleasant things and put up with situations of his dislike. Let him, therefore, show patience.

#### Modern research on female psychology:

An Egyptian scholar, Farid Wajdi Afendi, has in his book "Muslim Women" discussed the female psychology in details. He has also quoted references from the Encyclopedia. He writes: "The physical structures of a woman has been erected almost on the pattern of the physical structure of a child. It can be observed by you that the sentiment of a woman is easily and prominently affected like a child. A child, by nature, begins to weep if any unpleasant thing happens and begins to jump and dance about if he gets happy over any thing. Precisely similar are the re-actions of a woman. As against men whose faculty of thought gives them stability of sentiment and behaviour, a woman is prone to immediate sentimental reaction over a good or bad happening. As such, in most critical moments and on occasion of fear and danger, a woman cannot display steadfastness."

#### Nervous system in females:

In physical prowess a woman stands no comparison to a man. Power of patience and forbearance in females is very limited. Dr. Dofarini writes in the Encyclopedia: "The

nervous system of a woman is, by its very nature, different from the nervous system of a man. In their volume and strength the female nerves are very weak. As a matter of fact female nerves are one half of male nerves in volume and strength. The movement and agility of the female nerves is also one half in proportion when compared with male nerves.

#### Good points and virtues of women:

In spite of natural physical weaknesses enumerated above, there are many female virtues which are held dear to the hearts of men. Her good points win for her the love and liking of man. A woman is most often loving and fond of love. She is hardy by nature. She is loyal and is often prepared to lay down her life for her children and her husband. She is far better an administrator of the household than a man. She has immense capacity to face hardships. Her hard-i-hood in pregnancy and at time of delivery is praiseworthy. The female hearts is always very delicate and full of love. She gives good response of love and is often a reliable life partner. For these virtues she must be respected and not treated with harshness.

#### Harshness and tyranny forbidden:

Allah has strictly forbidden man to be harsh to women or to exercise tyranny on them. Says the Holy Qur'an:

وَلَا تُجْسِدُوا مِنْ زَوَاجِرِكُمْ أَوْ مَنْ يَفْعَلْ ذَلِكَ فَقَدْ ظَلَمَ نَفْسَهُ وَلَا تَتَّبِعُوا آيَاتِ اللَّهِ هُزُوا -  
(لقم - ٢٩)

"But you shall not retain them (the divorced women) in order to harm them or to wrong them. Whoever does this wrongs his own soul. Do not make fun of Allah's revelations. Remember the favours He has bestowed on you, and the Book and the wisdom which He has revealed for your instruction. Fear Allah and know that He has knowledge of all things." (S-2: V-231)

Although the above injunction is with reference to divorced woman, yet its eloquence makes every thoughtful man to make it applicable to the life occasions when a grievance against a wife enrages a man and he loses control over himself. The Holy Prophet (ﷺ) said: "No one among you (Muslims) should beat his wife as he is wont to beat his slave and then, after a day, may go to her for the satisfaction of his sex."

#### Sentiments verses cool thinking:

A woman by her very nature is a jumble of sentiments but, against this a man is gifted by nature with intelligence and has the advantage of cool thinking. Since a woman gets upset and gets enraged in matters not very important, man should not react with sentiment. He is being tried by God to exercise forbearance and should not resort to beating his life partner. The sentimentalism in women is due to their weak nerves.

#### Advice of the Holy Prophet (ﷺ)

##### regarding women:

The Holy Prophet (ﷺ) time and again, advised his followers to avoid harshness to their wives. On one occasion he said: "Do not beat your life partner as you would beat your slave girl." Again he said: "When you take fond, feel your wife (with similar fond) when you wear clothes, let her be provided with dress of same value. Do not scold her. Do not beat her on the face. Do not leave her alone, except when you are in your own house."

Along with good counsel for soft treatment, the Holy Prophet (ﷺ) also gave permission for admonishing the arrogant wives or the women who are rude and disobedient. The Holy Qur'an has permitted punishment in the following words:

وَالَّذَاتِ تَخَاوَوْنَ كَثْرَةً مِّنْ عَقْلُهُنَّ وَأَعْتَزِلْنَ فِي الْغُيُوبِ  
وَأَصْرِبْنَ لَهُنَّ فَإِنْ أَطَعْنَكُمْ فَلَا تَبْغُوا عَلَيْهِنَّ سَبِيلًا -

(النساء - ٣٤)

"Good women are obedient. They guard their unseen (parts) because Allah has guarded them. As for those from whom you fear disobedience, admonish them and send them to beds apart and beat them. Then if they obey you, take no further action against them. Allah is High, Supreme." (S-4: V-34)

The permission granted by Almighty Allah was rarely used due to the wise handling of their wives by the



companions under the guidance of the Holy Prophet (ﷺ).

### Instructions about women in the last sermon of the Holy Prophet (ﷺ)

In his historic sermon delivered on the occasion of the Last Pilgrimage, the Holy Prophet (ﷺ) gave the following valuable instruction regarding dealings with the women. "Hearken! Accept the emphatic instructions about women, because they are in your captivity. You are not masters of any thing held in their ownership. If they indulge in open lewdness and indecency, leave them alone in your beds and admonish them verbally. If they become obedient, do not seek further ways of punishment. Listen! you have rights on women as they have reciprocal rights on you. Your right on them is that they do not allow any one else to sit on your bed when you dislike, nor should they call persons you dislike to your homes. Your obligation towards them is that you give them good food to eat and good dress to wear." The words of the above quoted sermon make it clear that the permission to beat is confined to indulgence of women in open lewdness and indecency.

The obligations of men are prominently mentioned and, as heads of families, they are bound to meet the worldly requirements of their wives and children gracefully within their means and status. The women, on the other hand, are required to uphold the honour of their husbands and let no men whom the husbands dislike come to their homes and sit on their beds. This means that there

should be no freedom of speech and no breach of privacy by the women. The modern civilisation has revived the immodest customs of pre-Islamic days of darkness when freedom of mixing was allowed which resulted in the creation of unhealthy situations. Islam has forbidden freedom of mixing between men and women to avoid chances of illicit relations which at times also result in the break-up of families (as it already has happened in the European and American societies) and even blood-shed due to jealousies over the women.

### Emancipation from mal-treatment:

Under the wise and repeated instructions of the Holy Prophet (ﷺ), Muslims began to treat their wives with kindness and consideration. So much so that the women became bold and Hazrat Umar Farooq (رضي الله عنه) came to the audience of the Holy Prophet (ﷺ) and said respectfully: "The wives have become daring in their complaints against their husbands. The earlier order of the Holy Prophet (ﷺ) that men should not beat their wives and should not mal-treat them came to be softened due to complaint of Hazrat Umar. The men mis-constructed the words of Hazrat Umar (رضي الله عنه) and complaints of mal-treatment again began to pour in so that the Holy Prophet (ﷺ) had to say one day: "Many (aggrieved) women have come to the Houses of Mohammad (ﷺ) with complaints against their husbands who are not good men." The warning words "Who are not good men" worked wounds and the husbands once again mended their ways

and became soft and kind to their wives. Thus they earned emancipation from mal-treatment for all times.

#### **Holy Prophet's (ﷺ) own precedent:**

During the last eight or nine years which the Holy Prophet (ﷺ) spent in Madina, his family life became a noble example for the Muslims to follow. He was kind and considerate to his own wives and preached good treatment to wives and children: "He is best among you (Muslims) who is good and kind to his wife and children and I am most kind and good to my families. Whenever your life partner dies, you must pray for her salvation." This teaching was so comprehensive that it obviated chances of timely kind treatment. The instruction was that goodness should become inherent in men so that they become well-wisher of their wives and children for all time, and, even after the death of a spouse, should remember her with prayers for salvation.

The practical family life of the Holy Prophet (ﷺ) was a translation of his worthy utterances. After the death of Hazrat Khadija (رضي الله عنها) (his first wife), he often used to mention her virtues and good qualities, so much so that he used to be kind to the women friends and associates of Hazrat Khadija (رضي الله عنها) and sent them presents occasionally. Hazrat Aisha (رضي الله عنها) appreciated the conduct of the Holy Prophet (ﷺ) with regard to his deceased wife and said: "I am envious of no other wife of the Holy Prophet (ﷺ) except Hazrat Khadija (رضي الله عنها) although I have not seen her because she is so

frequently remembered her. So much so that, if even a goat was slaughtered in the house, a part of the meat was sent to the women friends of Hazrat Khadija (رضي الله عنها)." Hazrat Aisha (رضي الله عنها) was so much impressed by the memory of Hazrat Khadija (رضي الله عنها) that she used to say to the Holy Prophet (ﷺ) "Is no other woman (wife) as worthy as Hazrat Khadija (رضي الله عنها)?" The reply was: "She was most righteous and loyal and Allah had granted me children from her."

#### **Companions love for their families:**

The precedents set by the Holy Prophet (ﷺ) had the derived effect of reforming the conduct of the companions towards their families. They also displayed great love and regard towards their wives. The well-wishing of families became the key-note of the companions conduct.

Once Hazrat Abdullah bin Umar (رضي الله عنه) was away on 'Jihad' (fighting with infidel) on his journey to Madina, he was told that his wife had been ill. He became so much worried that he hastened to reach Madina and (to save times) offered his evening and night prayers together.

Another event took place which displayed great love and consideration of Hazrat Abdullah bin Umar (رضي الله عنه) for his wife. His great father, Hazrat Umar (رضي الله عنه) directed him for some reason to divorce his wife. But his deep attachment with his wife made him confused and perplexed and he was in a fix as to what he should do - obey his father and lose his dear wife - or keep his wife



and disobey his father. At long last the matter was taken before the Holy Prophet (ﷺ) who decided in favour of obedience of the father and Hazrat Abdullah divorced his wife.

Once Hazrat Imam Hassan, the beloved son of Hazrat Fatima Batool (رضي الله عنها) divorced his wife and also sent her all the dower money he owed to her. When his wife came to know of the hard decision, she wept bitterly. The messenger came back to Hazrat Imam Hassan (رضي الله عنها) and told him what had happened to his divorced wife. He also burst into tears and said: "Had I not given final and binding divorce, I would certainly have reversed my decision and taken her back as my lawful wife."

Similar incident took place with a son of Hazrat Abu Bakr (رضي الله عنه). The son loved his wife passionately. So much so that at times his love for his wife stood in the way of his going out for "Jihad" (holy war against infidels). Hazrat Abu Bakr did not like it and he asked his son to divorce his wife but her separation made him so much upset that he was found weeping and saying verses about her separation when Hazrat Abu Bakr (رضي الله عنه) came to know all this, he took pity on his son and allowed him to get back his wife.

The love story of Hazrat Bareaah (رضي الله عنها) and Hazrat Mughis (رضي الله عنه) is widely known and finds mention in the books of Tradition. Hazrat Bareaah (رضي الله عنها) was a maid slave and was married to Hazrat Mughis (رضي الله عنه). Eventually she was set at liberty and she acquired the lawful right to get separated from her husband or to

continue to stay with him as husband. She decided not to live with Mughis (رضي الله عنه). When he learnt about her tragic decision, he was mentally shocked and was found weeping in the streets of Madina.

The Islamic code of laws regarding protection of chastity and inculcation of modesty and decency gave women in Islam such a high social status that, they acquired position of honour and prestige and became renowned and famous in history for their great qualities of character and their achievements in many fields like knowledge, scholarship, piety, social service and struggle against infidels in the battle-fields.

#### Protection of the rights of wives:

Some of the companions of the Holy Prophet (ﷺ) by their nature and disposition were fond of asceticism, resurrection of the worldly pleasures and prolonged worship and fasting. This attitude made them ignore the conjugal rights of their wives. When the Holy Prophet (ﷺ) came to know of it, he called them to his audience and admonished them in the following words:

"You owe certain alligations to your wife and you must discharge (her conjugal) rights." The names of Hazrat Abdulah bin Amr bin Al-Aas, (رضي الله عنه) and Hazrat Abu Dardaa (رضي الله عنه) are mentioned in detail in the Books of Traditions.

**Husbands bound to be neat and clean:**

Good behaviour, amicable treatment and soft speech for the wives were a normal part of the character of the companions of the Holy Prophet (ﷺ) yet they were also given instructions to appear in neat and clean clothes and always keep their physical appearance well groomed so that, their wives whom they expected to be well clad and appear handsome, may also have reciprocal right to see their husbands in presentable outfit.

The Holy Prophet (ﷺ) was always mindful of the good outward appearance of men as he was keen to see them inwardly pious and God-fearing. Hazrat Ata-bin Yasaar (رضي الله عنه) narrated: "The Holy Prophet (ﷺ) was sitting in the mosque when a man with dishevelled and wildly scattered hair both of head and beard) entered the mosque. He was advised to set his hair in proper shape and make his appearance presentable." He obeyed and, when he re-entered the mosque with a well groomed appearance, the Holy Prophet (ﷺ) remarked: "Is your condition now not better than the previous one which was devilish." The following saying of the Holy Prophet (ﷺ) is quite famous: "Allah is good and handsome and He likes what is good and handsome. He is clean and pure and He likes what is clean and pure."

**Provision of washing and cleaning articles:**

Whereas the Islamic social law makes it necessary for husbands to appear in a neat and clean disposition, it has also been made obligatory for Muslim husbands to arrange for their wives and such articles with which she may be

able to clean her body remove un-necessary hair, embellish her organs and make herself attractive for the husband. Articles like a comb, hair oil, soap, fragrance of any type which may be in vogue and de-odorants must be provided to the wife at the cost of her husband. It is also necessary to arrange a sufficient quantity of water for bath and cleanliness of the entire body.

It is also stated in the Books of Traditions that, when a husband is returning from a journey, he must inform his wife before hand so that she is able to make herself neat and clean and presentable for the husband after removing superfluous hair also.

**Expression of sympathy in moments of calamity:**

It is a normal duty of the husband to treat his wife with courtesy and affection. If she is per chance affected by a calamity or disease, his sympathy towards her must increase and he should sincerely provide for her all sorts of good treatment for speedy recovery. If a disease makes her disfigured like small pox or paralysis, he should become more kind and sympathetic towards her and should not give her the slightest impression that she has lost her beauty and is no more liked by him. If he diverts his attention from her and becomes careless to her, she will languish and will, with the passage of times, get closer to death.

It would be an act of tartars and high-handedness if the husband of a sick wife becomes hard and inconsiderate towards her. An illness can bring about many physical defects like weakness, blindness, etc. A good Muslim



husband is bound under the teachings of Islam to display all the necessary sympathy towards her so that she may feel that her husband is truly sharing her deprivation and affliction. Hard-heartedness is blameworthy. If a callous husband does not tolerate his sick, lame or blind wife, he will be taken to task on the Day of Judgment because:

مَنْ لَا يَرْحَمُ لَا يَرْحَمُ  
وَمَنْ لَا يَرْحَمُ لَا يَرْحَمُ

"He who does not have mercy for others, he will find no mercy for himself (on the Day of Judgment)."

#### Regard for physical demands and sentiment:

It is a duty of a married man to have full regard for the physical demands and delicate sentiments of his wife. There is a well known story that Hazrat Umar (رضي الله عنه) was one night during his usual patrol, passing by a house when the wife of a soldier lived alone. She was reciting verses to lament the separation of husband and her wish for the return of her husband was manifest from the verses recited by her. Hazrat Umar (رضي الله عنه) hastened to visit his daughter, Hazrat Hafsa (رضي الله عنها) (wife of the Holy Prophet) and asked her: "How long can a married woman bear up without her husband?" The reply was: "Four months." Hazrat Umar (رضي الله عنه) at once sent a circular order to various commanders of the Muslim forces, saying: "No married soldier should be kept away from his family for more than four months." It also transforms that, if a man has to stay out for livelihood or some other functions for

more than four months, he must keep his wife and children with him.

This dictum also finds support from the Holy Qur'an which says:

لَا يَجْزِيكَ يَرْؤُنَ مِنْ نِسَائِهِمْ تَرَبُّصُ أَرْبَعَةِ أَشْهُرٍ فَإِنْ فَاءُوا فَإِنَّ اللَّهَ غَفُورٌ رَحِيمٌ وَإِنْ عَزَمُوا الطَّلَاقَ فَإِنَّ اللَّهَ سَمِيعٌ عَلِيمٌ  
(البقرة - ٢٤)

"Those who swear not to go into their wives must wait four months. If they change their mind, Allah is Forgiving and Merciful; but if they decide to divorce them, know that He hears all and knows all. (S-2: V-226-227)

#### Trust and confidence in the wives:

A Muslim husband must trust his wife in all household affairs so that the wife develops a kind of self-confidence which will also add to her dignity and social status. The Holy Prophet (صلی اللہ علیہ وسلم) said: "A woman is the guardian of her husband's household and the children." A Muslim husband has also been taught by Islam to be so sensible that he should never disclose things of secret natures and matters confidential between man and wife - to any one outside the house. The Holy Prophet (صلی اللہ علیہ وسلم) said: "The worst person among men is he who discloses to others and publicly narrates what transpires between himself and his wife." Imam Nowi (a great scholar of Islam) writes in explanation of this Tradition: "It is

absolutely unlawful in Islam for a man to disclose what transpires between him and his wife in privacy or any thing else regarding graces of his wife or has speed or her actions - every such disclosure is strictly forbidden in Islam."

#### Maintenance of wives:

Among other responsibilities devolving upon a Muslim husband, it is also of his obligations to provide his wife with a house to live in and also provide funds for her proper sustenance, so that she becomes free from physical needs and can whole-heartedly attend to the care and education of her children. Says the Holy Qur'an:

لِيُنْفِقْ ذُو سَعَةٍ مِّن سَعَتِهِ وَمَن قَدِرًا عَلَيْهِ رِزْقُهُ فَلْيُنْفِقْ بِمَا  
أَنَاءَ اللَّهُ لَا يَكْلِفُ اللَّهُ نَفْسًا إِلَّا مَا آتَاهَا (الطلاق - ١)

"Let the rich man spend according to his wealth and the poor man according to what Allah has given him. Allah does not charge a man more than He has given him. He will bring ease after hardship." (S-65: V-7)

So the maintenance of the family must be within the earnings of the husband. The responsibility of the husband should not exceed the means he has been granted by God. Elsewhere it is stated in the Holy Qur'an:

وَعَلَى الْمَوْلُودِ لَهُ رِزْقُهُنَّ وَكِسْوَتُهُنَّ بِالْمَعْرُوفِ لَا تُكَلَّفُ نَفْسٌ وَّزْرًا  
ذَوِ سَعَةٍ (البقرة - ٢٣٠)

"They (women) must be maintained and clothed in a reasonable manner by the father of the child None

should be charged with more than one can bear." (S-2: V-233)

The burden of maintenance has been placed on the husband so that his wife may bear children and bring up peacefully and in freedom from physical needs. This will also have good psychological effect on the growing children who will be saved from mental worries. The Tradition amplifies that: "You should cheerfully maintain your wives and provide them with food and clothing."

#### Arrangments and quantum of maintenance:

A pertinent question arises: 'what should be the quantum for family maintenance?' Mst. Hind bint Utba (رضي الله عنها) wife of Abu Sufyan, (رضي الله عنه) once came to the audience of the Holy Prophet (صلی اللہ علیہ وسلم) and complained: "Abu Sufyan is a miserly man and what he gives is not sufficient for the proper maintenance of his family. Should I be allowed to take from his wealth for the maintenance of his children (without telling him)?" The Holy Prophet (صلی اللہ علیہ وسلم) allowed her to take that much which may suffice her children."

#### Holy Prophet's (صلی اللہ علیہ وسلم)

##### system of family maintenance:

The Holy Prophet (صلی اللہ علیہ وسلم) used to have outstanding arrangements to provide sustenance and requisite funds for the day to day living of his families. He had set aside a garden for this purpose and its sale proceeds were deposited for the year's requirements of maintenance for



his families." The dates orchards - Nakhle-Bani Nazer was sold away and its sale proceeds were deposited for the expenses of his families for the whole year." The scholars of Islamic jurisprudence have called the family's maintenance allowance as obligatory for the husbands whether the wife is wealthy or poor. The maintenance must include food, lodging and dress. The literary meaning of "Nafqa" is the funds one incurs for the day to day living of his wife and children. Under the Shariat Law it is boarding, lodging and dress which must be provided by a husband for his wife and children.

#### **Standing permission for the wife to see her parents or visit them:**

One of the obligatory rights of the wife is that her husband must give her standing permission to see her parents once in a week or may visit her parent's home, and the other close relatives who are allowed under the Shariat Law to see the wife in privacy. The Holy Prophet (ﷺ) used to visit his dear daughter, Hazrat Fatima (رضي الله عنها) in her home. Similarly Hazrat Abu Bakr and Hazrat Umar (رضي الله عنهما) used to visit Hazrat Aisha and Hazrat Hafsa (رضي الله عنهما) in their houses. Such incidents are frequently mentioned in the Books of Traditions.

#### **Difference between Husband and Wife:**

When differences between the husband and the wife are on increase, the husband is advised under the Shariat Law to exercise restraint and patience. Even after admonish and physical punishment, if the differences continue, provision

has been made for the appointment of an arbiter (Hakam) as laid down in the Holy Qur'an:

وَإِنْ خِفْتُمْ شِقَاقَ بَيْنِهِمَا فَابْعَثُوا حَكَمًا مِنْ أَهْلِهِ وَ  
حَكَمًا مِنْ أَهْلِهَا - (النساء - ٦)

"If you fear a breach between a man and his wife, appoint an Arbiter from his people and another from hers. If they wish to be reconciled, Allah will bring them together again. Allah is Knowing, Wise." (S-4: V-35)

The arbiters must be sincere because only by sincerity of purpose the difficulties can be resolved. Without due sincerity the derived result of reconciliation cannot be achieved.

According to Maulana Ashraf Ali Thanwi, the arbiters should hold dispassionate enquiries into the grievances from both sides. They may try to fix responsibilities for the discord on either side and advise both parties to remove the grievances of either side with sincerity. When the arbiters are sincere, a way for reconciliation will be opened.

The husband and the wife may also co-operate with the arbiters with full sense of responsibility. They should sincerely welcome and act upon the proposals evolved by the arbiters for the reconciliation and for return of normalcy in their relations.

#### **The rights and obligations of Wife:**

The duties and obligations of men to meet the rights of wives, as enunciated in Islam, have been explained in detail in the preceding pages. Now we proceed to explain the

rights of husbands which devolve on the Muslim wives. A comparative study of the rights and obligations of both parties will bring home to the readers a complete picture of the system of modesty and chastity in Islam and the efforts apparently made under the Islamic family laws to cement the relations of husband and wife and make it a living force of the Islamic social order. Any legal structure which places obligations only on one side and exempt the opposite party is certainly defective and unfit for healthy social relations. Keeping in mind the inherent weaknesses of the female physical and psychological structure, Islam has enjoined on men to be soft, lenient, gentle and amicable in their relations with their wives. At the same time it has not hesitated to enjoin on women the obligations they owe as wives to their husbands. Without providing the balance of rights and obligations, the marital life of the couples could not have the desired stability.

#### Authority of the Household:

Keeping in view the natural weaknesses of women Islam has granted them all the concessions they deserved as weak sex. It has placed the burden of authority for running the family administration on the shoulders of men. Hardships of earning and rigours of outdoor life are allotted to man by the Islamic Law of marital life. The Holy Qur'an says:

الرِّجَالُ قَوَّامُونَ عَلَى النِّسَاءِ بِمَا فَضَّلَ اللَّهُ بَعْضَهُمْ عَلَى  
بَعْضٍ وَرَبُّنَا أَتَقْوُوا مِنْ أَمْوَالِهِمْ - (النساء - ٦)

"Men have authority over women because Allah has made the one superior to the other, and because they spend their wealth to maintain them." (S-4: V-34).

Physical strength, greater knowledge of life, capacity to bear hardships and responsibility of maintenance of the household make men superior in status and, as such, the authority of the household devolves on them.

Shah Wali ullah of Delhi writes: "It is fit and proper that a man must be made the executive head of family administration and nature demands that man should have the upper hand in all matters because men have more accomplished intellect, competence in administration, strength to defend his and ability to ward off negative forces attacking his social status. He is also superior to the women because he provides boarding, lodging and dress."

#### Status of man under modern research:

The superiority of man in intellect, nervous and physical strength and all round capability has been established under modern research. Famous nationalist philosopher, Professor Prodon writes: "The power of intuition in a woman is as weak as her intellect when compared a man. Her moral strength is quite different from the moral strength of a man. Her opinion about beauty or ugliness of any thing is quite different from that of a man. The male opinion and the female opinion are poles asunder. This difference of values and their assessment is based upon the different nature of man and woman and it is not transitory.

After quoting Professor Prodon, Allama Farid Wajdi writes: "the five common senses on which development of intellect and mental faculties depend are also not the self-



same in man and woman. Professor Nicholas and Professor Bailey have proved that the five senses of a woman are certainly weak than those of a man. Allama Wajdi continues: "Psychology has proved that the brain of a woman is different from the brain of a man in shape and weight. The brain of a man is 100 drachms heavier than that of a woman."

#### Brain and brain power of females:

Modern research has established that the brain of a female is less in weight than the brain of a male human being which directly affects the brain power. The brain of a dunce is sufficiently less in weight than that of an intelligent person. Statistics have proved that an average woman is less brainy than an average man and this fact is true every where. The difference of brain and brain power between men and women in Paris is the same as in an aboriginal tribe of USA.

It is, therefore, proved beyond a shadow of doubt that men are more capable than women in every way and in all life activities.

#### Equality of rights:

The Holy Qur'an states:

وَلَهُنَّ مِثْلُ الَّذِي عَلَيْهِنَ يَالْمُتَعَبُونَ وَلِلرِّجَالِ عَلَيْهِنَ  
دَرَجَةٌ - (نورة - ٢٨)

"Women shall with justice have rights similar to those exercised against them, although men have a status above women. Allah is Mighty and Wise." (S-2: V-228)

The authority in the household affairs with which a man has been invested does in no way take away the social rights of a woman who is a equal partner in the family life. Of course, in case of difference of opinion, the decisive view shall be that of the husband. In all fields of human activity a woman has rights and opportunities at par with a man. A woman is never looked down upon.

#### A wise quotation:

A philosopher has explained the status of a woman in a very wise and attractive manner. He said: "If Lord creator had desired to make woman the head of the human social order, He would have created her from the head of Adam (عليه السلام). If He had desired to make woman as servant and slave, He would have created her from feet of Adam (عليه السلام). Since God had described an amicable equality to prevail between man and woman to make his marital life successful, He created her from the side ribs of Adam (عليه السلام)."

#### Women must be consulted:

In spite of apparent authority of man over all affairs of family life, he has been bound to consult his wife in matters of importance and common interest. In the matter of sucking, it has been laid down that the complete period of the sucking of a child shall be two years during which the sucking nurse (if mother cannot feed) will be entitled to have food and clothing according to common usage.

"If after consultation, they choose by mutual consent to wean the child, they shall incur no guilty nor shall it be any offence for you if you prefer to have a nurse for your children, provided that you pay her what you promise according to usage." (S-2: V-233)

The Divine intention is manifest that all family affairs must be settled by mutual consultation. This will create mutual confidence which will obviate all chances of immodesty or any deviation from chastity.

#### Family relations in modern society:

In our modern times, it is widely known that differences over family affairs frequently arise between the husband and the wife particularly in the well-to-do prosperous families. Most often informal separation takes place and both wife and husband begin to live separately which can increase chances of lewdness and indecency for both.

#### Duties of Pious women include husband's respect:

If a married couple have before them the wise teachings of Islam, there can be no informal separation on account of small differences which, as said above, can be resolved by mutual consultation. Says the Holy Qur'an:

فَأَسْلِمْتُ قَتِيَّتِي حِفْظًا لِلْعَيْبِ بِمَا حَفِظَ اللَّهُ - (النار-٦)

"Good women are obedient. They guard their unseen (parts) because Allah has guarded them." (S-4: V-34)

A Muslim woman has been induced to obey her husband so that, even in case of differences, there would be

no formal or informal separation. The Holy Prophet desired that marital relations should always be corrected and there should be no talk of separation. He said: "A woman who demands divorce frequently on day to day flimsy differences, she will not smell the fragrance of Paradise." A good woman has been reminded to accept the authority of her husband and should be prepared to accept the opinion of her husband in matters of differences. If the woman is arrogant and takes law into her hands, discord is bound to occur and the small kingdom of the family life may be destroyed by her unwise behaviour. In case of formal separation, they will lose respect in society and no one will help them to find alternate companions.

The Holy Prophet (ﷺ) said: If I were to order any one to prostrate any man, I would have directed a wife to lie prostrate before her husband." Common sense demands that a man ought to be respected when he has placed his hard-earned money at the disposal of his wife. Due respect of the husband is also a social necessity for the maintenance of good family life. Respect for the husband must be sincere and should have a touch of love. Says the Holy Prophet (ﷺ): "If a woman dies when her husband is pleased with her, she will enter the Paradise."

The love and regard of a husband can be won by his wife by constant obedience and surrender of her own opinion. Among the virtues of a good woman, obedience of the husband has been mentioned as an important factor. The Holy Prophet (ﷺ) said: "When a woman offers five times prayers, Fasts during Ramzan, guards her chastity and



obeys her husband, she may enter the Paradise from any of its gates she may like."

If a woman ignores the rights of her husband and has no respect for him, she will not be successful. the Holy Prophet (ﷺ) said: "(She is a best woman) who pleases her husband when he sees towards her, who obeys him in all lawful matters, and who does not oppose her husband's intentions in the use of his wealth and her own physical self."

It is worthy of mention that obedience of the husband is not to go beyond the bounds of Islamic Law. If a woman is advised or ordered to perform acts which are forbidden by Islamic Law, she is not to obey such orders. An event may be mentioned in this context. A woman from the Ansar came to the audience of the Holy Prophet (ﷺ) and said: "My married daughter has, due to an illness, lost her head hair and consequently has put on an ugly appearance. My son-in-law is pressing me to give her artificial wig." The Holy Prophet (ﷺ) did not approve this and said: "Such a woman has been cursed who adds artificial hair to her natural hair."

#### Good pleasure of the husband:

An obedient wife who is always ready to obey her husband in all matter not prohibited by Islam, has been termed as the best thing of this world. Says the Holy Prophet (ﷺ): "After piety, the best available thing for Muslim is his good and pious wife who obeys him and, when he sees towards her, she pleases him, when he gives a vow, she carries it out, when he is absent, she is guardian of

her chastity and his property." The Holy Prophet (ﷺ) said: If a husband orders his wife to move from one mountain to another and then again to a third mountain, a good wife would carry out his orders without any hitch." Again, he said: "A wife cannot taste the sweetness of faith unless she carries out the building of her husband." She is a life partner and not a slave or servant and, while obeying her husband she should bear in mind her position of a life partner.

#### Obedience in matters of sex:

The fulfilment of the sexual urge may be a worldly requirement but it has deep relation with maintenance of modesty and chastity. As such, a good wife is supposed to answer quickly to the call of her husband for sexual intercourse. The Traditions in this connection say: "If a husband calls his wife for sexual enjoyment and she is at the oven, baking bread, she must oblige him. If a wife is called to his bed by her husband and she declines, she is the target of curses of the angels till the morning. The dis-pleasure of God for such a woman will continue till her husband get pleased with her conduct again."

In sexual matters there is no one sided pressure in Islam. If the health of the woman is not permitting, moderation in sex must be the rule. Albeit, "a wife is advised to consult her husband before she undertakes the fast arbitrarily." All these instructions and advices are calculated to foster and cement the sense of modesty and chastity in both the husband and the wife so that they do not look elsewhere for the fulfilment of sexual desires.

**Good marital relations in the golden era:**

The period during which the Holy Prophet (ﷺ) preached Islam and the companions lived was indeed a golden era for all social activities and the minds of man and woman were filled with noble sentiments and desire to carry out injunctions of Islam in letter and spirit. The women companions made all possible efforts to please their husbands and, at times, despite indifference on the part of husbands, they continued to obey the instructions of God and His Holy Prophet (ﷺ) for the good pleasures of their husbands.

**Events of mutual marital love:**

Once Hazrat Aisha (رضي الله عنها) was wearing silver rings on her fingers. On enquiry she said to the Holy Prophet (ﷺ) "These are on my fingers for your good pleasure."

One day Hazrat Kholah (رضي الله عنها) came to Hazrat Aisha (رضي الله عنها) and narrated that, every night she decorated herself like a bride to win the pleasure of God and lay down by the side of her husband but he paid no attention to her. This was narrated to the Holy Prophet (ﷺ) who remarked: "Let her continue to obey her husband."

Hazrat Khadija (رضي الله عنها) was a rich woman. After marriage with Holy Prophet (ﷺ) she placed her entire wealth at the disposal of her husband. Not only that she was always upset when the Holy Prophet felt uneasy or was confronted with anything unpleasant.

Hazrat Aisha (رضي الله عنها) was so much considerate of the good pleasure of the Holy Prophet (ﷺ) that she would undertake any hardship for his satisfaction. She used

to wash his clothes with her own hands. She used to rub perfume on the body of the Holy Prophet (ﷺ). She used to chew the tooth brush of the Holy Prophet (ﷺ) to make it soft for his use. She used to twist strings with her own hands for the animal of sacrifice brought in the house.

**Marital life of women companions:**

The life events of the women companions of the Holy Prophet (ﷺ) present good pictures of love, self-sacrifice, dedication and service towards the husbands with no other purpose but the pleasure of God.

Hazrat Zainab (رضي الله عنها) the elder daughter of the Holy Prophet (ﷺ) was married to Abul Aas who had not yet embraced Islam. In the Battle of Badr he fought on the side of infidels and became a captive of the Muslims. When the Holy Prophet (ﷺ) ordered that all the captives of Badr may be set free on payment of ransom, Hazrat Zainab hastily sent her beautiful neck-lace (given to her by her mother, Hazrat Khadija (رضي الله عنها) to the Holy Prophet (ﷺ) for the release of Abul Aas.

Hazrat Hamnah Bint Jahash (رضي الله عنها) was deeply in love with her husband who was martyred in a battle against the infidels. When she came to know of his martyrdom, she burst into cries and weeping.

The wife of Hazrat Umar (رضي الله عنه) used to kiss his head in moments of spontaneous love.

The divorced wife of Hazrat Hassan (رضي الله عنه) received her dower money. She wept and said: "This money has no value as compared with the dear, departed soul."



**Service and hard labour in house-hold:**

The women companions took pains in the service of their households and undertook every kind of labour to run the household effectively. The wife of Hazrat Hilal (رضي الله عنه) (who was one of the three who were boycotted for non-participation in Jihad) came to the audience of the Holy Prophet (صلی اللہ علیہ وسلم) and asked for special permission to serve her aged husband which was granted. Hazrat Asmaa (رضي الله عنها) (daughter of Hazrat Abu Bakr (رضي الله عنه)) used to serve her husband, Hazrat Zubair (رضي الله عنه) assiduously. Hazrat Fatima (رضي الله عنها) the dearest daughter of the Holy Prophet (صلی اللہ علیہ وسلم) used to perform all household duties with her own hands. She used to draw water, sweep her house, grind her floor at the small grinding mill available with her.

**Obstinacy and arrogance:**

Two of the negative female qualities are obstinacy and arrogance which a sensible wife must avoid at all cost. Any happening against her taste or will should not enrage her beyond limits. Such a situation can upset the household. A quarrelsome wife can seldom avoid a rift between herself and her husband. The Holy Qur'an has well advised:

وَالنِّسَاءُ أَكْفَأُنَّ مِنَ بَعْلِهَا شُؤْرًا أَوْ رِعْرَاعًا فَلَا جُنَاحَ  
عَلَيْهِمَا أَنْ يَصْلِحَا بَيْنَهُمَا صُلْحًا وَالصُّلْحُ خَيْرٌ - (النساء- ١٩)

"If a woman fears ill-treatment or desertion on the part of her husband, it shall be no offence for them to seek a mutual agreement, for agreement is best. Man is prone to avarice. If

you do what is right and guard yourself against evil, know then that Allah is cognizant of all what you do." (S-4: V-128)

**Rules necessary to guard chastity:**

The Islamic code of social laws has attached great importance to the maintenance of love and concord between married couples so that the desired aims of lawful marriage may become visible for the benefit of society at large and nothing untoward may happen to ease the passage for immoral conduct by men or women."

The rights and obligations of wife and husband have been so lucidly explained and enjoined that chances of discord and dis-harmony may never arise. It has been made sinful to create any rift between a wife and her husband. While mentioning the role of magic, the witchcraft has been condemned for its capability to create rift between a man and his wife. Says the Holy Qur'an:

فَيَتَلَمَّزُونَ مِنْهُمَا مَا يُفَرِّقُونَ بِهِ بَيْنَ الْمَرْءِ وَزَوْجِهِ -  
(البقرة - ١٧)

From these two (Harut and Marut), they learn that by which they create discord between husband and wife.....They learn, indeed, what harms them and does not profit them; (S-2: V-102)

**Discord between man and wife - pleasure of devil:**

To create discord between wife and husband is a big sin. Such a person shall have no share in the blessings of Paradise. Satan rejoices heavily when one of the devils reports to him that he has succeeded in separating a man and his wife completely. Mulla Ali Qari has explained that

Satan rejoices at the separation of a man and his wife because he likes that illicit sexual relations may spread among human beings, giving birth to multitudes of bastard children who would spread turmoil, crimes and murder.

The Holy Prophet (ﷺ) vehemently condemned any effort at creating discord between a man and his wife. He (ﷺ) said:

لَيْسَ مِنَّا مَنْ حَبَّبَ امْرَأَةً عَلَى زَوْجِهَا - رَغْوَةً أَوْ مَشْرَةً إِلَّا مَالِدٌ

"He is not (one) among us who tries to seduce a woman from her husband."

#### Legal provisions for amicable separation:

Islam is rational and provides for the fulfilment of natural demands in social life. Although lawful marriage is full of good chances to avoid immodesty and to strengthen the spirit of chastity. Yet legal provisions have been made for separation between wife and her husband in an amicable atmosphere. The circumstances justifying legal separation of a wife from her husband may be enumerated as under:

##### (i) Unforeseen calamity:

Apparently the husband has the competence to undo the marriage bond but a wife has the accepted legal right to move a court of justice to annul her marriage bond under unforeseen calamities which include unfair and tyrannical treatment of the husband.

##### (ii) Impotence of the husband:

If a husband happens to be impotent by birth or by circumstances and cannot give sexual satisfaction to his wife, she has full right to knock at the Qazi Court for justice and for undoing the bonds of

marriage. The judge will investigate into circumstances and if the complaint is genuine, he will give the husband one complete year (from the date of the filing of the suit) for treatment. If the husband is able to recover his health and, the wife certifies his potency, she will continue as his wife. Otherwise the marriage deed will be annulled. The procedure has the authenticity of an honourable companion, Hazrat Saeed bin Al-Mosayyib and Imam Malik. After this legal separation called 'Khula'a' in the Shariat terminology, the woman can marry another man at her discretion.

##### (iii) Man with incomplete Penis:

A husband whose penis is incomplete or cut off and he is unable to perform the sexual act satisfactorily, his wife has full legal right to move the Qazi Court of justice to grant her "Khula'a" on separation from her husband. If judicial investigation confirms that the husband has incomplete sexual organ and is unable to perform the sexual act, he will at once grant the woman her right of separation without wasting for any further time.

##### (iv) Case of a Eunuch or castrated husband:

If a husband happens to be castrated-or is a eunuch, the procedure laid down for an impotent husband shall apply the Qazi Court shall grant him a year's respite to undergo treatment at the end of which, if his condition remains unchanged, the Shariat Law will grant the wife the right of separation.

The basic principle of protection of the chastity of man and woman has been upheld in all



circumstances and, the relief granted to a woman under the circumstances enumerated above is with the set purpose of guarding her modesty and chastity. Hafiz Ibn-e-Qayyim, a great scholar of Islam, has stated that Islam is always ready to help a man or a woman to find legal ways of protecting the chastity.

### The law of 'Khula'a' in Islam:

The right to seek divorce has been granted to women under circumstances enumerated above. However, Islam has discouraged "Khula'a" without proper justification. The Holy Prophet (ﷺ) "If a woman demands to be divorced in flimsy matters she will not smell the fragrance of Paradise." On another occasion, He (ﷺ) said: "Women seeking separation from their husbands and demanding "Khula'a" are hypocrites. The right of separation from a husband is meant to be exercised under genuine and processing circumstances. The Holy Qur'an has provided guide-line for seeking "Khula'a": It says:

كَأَن خِفْتُمُ اللَّهَ يَوْمَ تَحْدُودَ اللَّهِ فَلَا جُنَاحَ عَلَيْهِمَا فِيمَا  
اَفْتَدَتْ بِهِ - (البقرة - ٢٩)

"If is unlawful for husbands to take from them (women) anything they have given them, unless both fear that they may not be able to keep within the bounds set by Allah in which case it shall be no offence for either of them if the wife ransom herself." (S-2: V:229)

### Exercise of "Khula'a" during the Prophetic era:

There have been incidents during the life-time of the

Holy Prophet (ﷺ) when the right of Khula'a was granted to women under pressing and genuine circumstances. The Books of Tradition mention the case of Habibah bin Sahl Ansari (رضي الله عنها) who was married to Hazrat Thabit bin Qais bin Shamaas. One morning at early dawn, when the Holy Prophet (ﷺ) came out of his house for the morning prayers, he saw a woman wrapped in long sheet of cloth, standing in front of the Prophet's house. He asked: "Who are you?" She replied: "O Prophet of Allah. I am Habibah, daughter of Sahl." He again asked: "What is the matter with you?" She replied: "I am not in unison with Thabit bin Qais (رضي الله عنه) as he is also not in unison with me. There is no more hope of our continuing as man and wife." After hearing her story, the Prophet (ﷺ) went on to offer his prayers. After prayers, He (ﷺ) saw Thabit bin Qais (رضي الله عنه) and said to him: "This is Habibah bin Sahl Ansari. She narrated what Allah liked her to narrate. She also brought the dower money and is ready to surrender it. You take back your money and set her free." Hazrat Thabit (رضي الله عنه) took back his dower money and set Habibah at liberty."

A statement of the wife of Hazrat Thabit (رضي الله عنه) has also been recorded in the Bokhari Sharif. She said: "O Messenger of Allah! I do not find any fault in the conduct or character of Thabit bin Qais (رضي الله عنه) but I do not like in Islam what was possible in infidelity. "She was asked: Are you prepared to return the garden which Thabit (رضي الله عنه) has given you?" She agreed. The Holy Prophet (ﷺ) said to Thabit: "Take back your garden and divorce her." The

incident mentioned by Imam Bukhari is not about Habibah bint Sahl but it is about the second wife of Thabit bin Qais (رضي الله عنه) whose name was Jameela bint Abi Salool (رضي الله عنها).

The facts of the situation are that Hazrat Thabit bin Qais (رضي الله عنه) was short in stature, ugly in appearance and sharp of tongue. As such, no woman did like him.

#### **Case of a missing husband:**

When a husband disappears, his wife is in real trouble. She is not aware whether he is dead or alive and what possible step she may take about herself under the Shariat Law. The scholars of jurisprudence are divided in this matter. However, Imam Malik based his decision on a saying of Hazrat Umar Farooq (رضي الله عنه) who said: "If the husband of a woman disappears and his whereabouts are not known, such a woman should wait for four years after which she should stay un-married for four months and ten days - the legal period of waiting - after which she is free to re-marry."

Scholars of the status of Imam Malik, the author of "Jam-e-Ramooz" and "Rath-ul-Mukhtar" and, among the Indian scholar, Hakim-ul-Ummah Shah Wali ullah of Delhi and Maulana Abdul Hye Farangi of Farangi Mahal gave decisions in such cases on the basis of the saying of Hazrat Umar (رضي الله عنه) quoted above.

#### **The Islamic law of Divorce and protection of Modesty and Chastity:**

Divorce in Islam is permissible but this is a last resort. When all efforts at reconciliation fail and life of both parties is full of chaos and trouble, divorce may be given.

#### **Law of divorce in the Jews:**

Among the Jews divorce is very easy. Mere intention of the husband is enough to declare divorce. An intention to have a more beautiful wife is sufficient ground for divorce. Physical defects in the existing wife like uneven-ness of eyes, lameness or crookedness of the waist, barren-ness and even bad odour from the body - are all good causes to divorces Jewish wife. Apart from physical defects, even moral defects like hot-temperdness, too talkative avaricious, lacking etiquettes of good meals, or tendency to glutton-ness are also sufficient causes for the separation of a Jewish wife. Despite all the freedom of action and latitude granted to husbands, the Jewish wives can, under no circumstances, demand a divorce from a man who may be having hundreds of defects.

#### **Law of divorce among Christians:**

The marriage bond in the Christian world was considered to be permanent and nothing except death could sever it. This custom was taken from a supposed saying of Christ: "What God has joined, man should not disjoin." (Matthew: 19: 6) In fact this was a moral dictum and did not apply to any social contract. Another verse of Matthew makes it more clear. "A man who divorces his wife for any fault less than fornication and takes a second wife, he is actually guilty of adultery." (Matthew: 9:19) Some Christian scholars interpreted the two verses to say that, in case of fornication, husband and wife may be separated from each other but the bond of marriage shall continue and neither the man nor the wife shall have the legal right to re-marry.



It is surprising that for centuries the Christian world continued to practice this marital law, under which both man and woman were obliged to live a life of celibacy. Later on, the Eastern church made an effort to undo the marriage bond in case of separation of man and wife. But the Western church declined to accept the change. For nearly fifteen centuries the Christian world continued to act upon this usage. In England till 1557 AD, there could be no separation between husband and wife until fornication and terrorising both the crimes were proved in a court of law. Even after the legal separation, remarriage was not allowed to man and woman both. Very strange it would appear, but the husband was allowed to get compensation from a man who had raped his wife. In 1866, the burden of maintenance allowance was placed on the "sinful" husband. In 1907, this condition was also removed. In 1895, it was decided that, if a wife left her husband due to his maltreatment, the court had power to prevent him from visiting his wife but he will be responsible for the maintenance of the wife.

#### **Reformation in law of divorce/Royal Commission:**

In 1910 a Royal Commission was appointed to look into the problems of marriage and divorce. The commission recommended: "The man and woman may be given equal rights of divorce so that reasons which justify divorce by a man should also justify a woman." The report of the Royal Commission was incorporated in the 1963 Law of Divorce and a woman was entitled to get divorce if her husband committed adultery even once. This defective law was also not tolerated by many people and in 1930, the following

decision was made public: "We (the church) cannot solemnise the marriage of any man or woman whose partner was still alive."

#### **Baneful effects of man-made laws:**

The Jewish and Christian marriage laws were both extremes. Among the Christians the fluctuation of the Law and easiness resulted in large number of divorce cases. A civil court report of Sein read as under: "The civil court decided 294 cases of divorce on one day. In 1844 (when amended law of divorce was passed) 4000 divorces came to be decided. In 1900, the number rose to 7500, in 1913 the number stood at 16000 and in 1931, it rose to 31,000 cases. A judge of the civil court, Lindsey writes: "In 1922, every single case of marriage had a corresponding case of divorce. It was in Danover city. The condition of other cities was no better." Arthur Garfield Hess, MA LL.B. wrote in his thesis: "Twenty years before there was one case of divorce against every 20 cases of marriage. Now the incidence of divorce has risen and against every three cases of marriage there is one case of divorce. The rate of divorce is on increase." In England, when a civil court re-opened after Holidays, there were 4109 cases of divorce on the very first day.

#### **Pre-Islamic law of divorce:**

During the pre-Islamic days a man was at liberty to pronounce any number of divorce. He could revert to his wife after "Iddat" (the period of waiting for a divorced woman). The wife could not get out of the bond of marriage even with divorce announced 100 times. This harmful practice increased the incidence of illicit sex, resulting in

innumerable cases of adultery and fornication both by women and men. This also was responsible for the split up of thousands of families. There was wide spread moral degeneration and many social ills.

### Islamic law of divorce:

The Islamic law struck a golden mean, referring the extreme laws and practice among the Jews and the Christians. Both men and women were given equal rights and no body was deprived of justice. The teachings of Islam discouraged the institution of divorce and called it an unavoidable evil. The Holy Prophet (ﷺ) said: "Among lawful things divorce was disliked most by Allah, the Exalted." On another occasion, He (ﷺ) addressed Hazrat Ma'az: (رضي الله عنه) "Allah, the Exalted, has not created any thing more obnoxious than divorce." Scholars of Islam have approved of it only when conjugal life becomes impossible.

### Operation of the Law of Divorce:

In Islam the authority to pronounce "Talaq" vests in the husband. Some thinkers have agreed that the right of divorce should vest in a court of law. This suggestion has arisen from inexperience and mis-understanding of human nature. Man is gifted with superior common sense, better and stronger nervous system and means of worldly life. He has to pay the dower of as well as the wife's maintenance during her period of waiting. He also has to incur expenses on his second marriage under the circumstances. For these valid reasons Islam has vested man with authority to declare

or to withhold the announcement of divorce. Islam has taken all possible steps to safeguard the rights of women and guard them against any possible exploitation. Divorce has been discouraged and, when necessary, it has been a tool to guard the chastity of both sexes. Both men and women have been provided all possible legal facilities to get re-married so that all doors of illicit sex are closed to both sexes. In Islamic countries the incidence of divorce is negligible and the law in force has proved to be a blessing for both sexes.

### Procedure when wife is accused by husband:

If a husband accuses his chaste and honourable wife of fornication, he has to produce four eye witnesses to prove her guilt. If he cannot produce legal evidence, he has to follow the procedure laid down in the Holy Qur'an reproduced below:

وَالَّذِينَ يَرْمُونَ أَزْوَاجَهُمْ وَلَمْ يَكُنْ لَهُمْ شُهَدَاءُ إِلَّا أَنْفُسُهُمْ فَشَهَادَةُ أَحَدِهِمْ أَرْبَعُ شَهَادَاتٍ بِاللَّهِ إِنَّهُ لَمِنَ الظَّالِمِينَ وَالْأُخْرَى أَنَّهُ لَغَفَاةٌ عَلَيْهِمْ إِذْ كَانُوا مِنَ الَّذِينَ يَكْفُرُونَ بِمَا عَنَّا عُدَاةً أَنْ تُشْهِدُوا رَبَّكُمْ شَهَادَاتٍ بِاللَّهِ إِنَّهُ لَمِنَ الْكَافِرِينَ وَالْأُخْرَى أَنَّهُ قَصَبٌ عَلَيْهِمْ إِنْ كَانُوا مِنَ الظَّالِمِينَ۔ (نور - ١)

"And those who accuse their wives and have no witnesses except themselves, let each of them testify themselves, by swearing four times by Allah that his charge is true, calling down in the fifth time upon himself the curse of Allah if he



is lying. But they shall spare her the punishment if she swears four times by Allah that his charge is false and calls down Allah's wrath upon herself if it be true." (S-24: V-6-9)

When bitterness between husband and wife exceeds all bounds and mutual respect is no more, Islam does not insist on the couple to continue living together and has laid down a wonderful procedure for the court to decide separation between the two parties. Such an accusation is called "La'aan" in the Shariat terminologies. Such an incident did take place during the time of the Holy Prophet (ﷺ).

### Necessary factors for protection of chastity

For the protection of chastity and modesty Islam has laid down rules of etiquette and behaviour which every Muslim man and woman is called upon to practice. Any indifference to the rules of behaviour set by Islam is likely to injure the modesty of a person.

The sexual instance in man is so strong that it is urged at the slightest motivation and Satan, that eternal enemy of man, loses no opportunity to get him involved in the opposite sex and thus ruin his moral character. Islam has, before and after marriage, given injunctions for the maintenance of modesty and decency in behaviour.

### Shyness and Modesty:

Man is inherently endowed with the quality of shyness and modesty. This always stands in the way of reckless indulgence in acts of lewdness and indecency, Man covers

his private parts and many other parts of his body due to this quality.

Nudism has been the practice of many a nation on the globe of this Earth, and even today, there are people in Africa who are well-known for it. Even in Europe this practice is on increase. Dress is so scanty that it is almost meaningless. The magazines published in many parts of Europe give a very detailed picture of wearing. Nakedness is the fashion being practised in the name of art and health. The incitement to sexual indulgence is so pressing and so wide that power of resistance yields to temptation of sex and this carnal or beastly desire drowns the human sense of decency and morals and destroys even the human health on an extensive scale. Maulana Maududi has reproduced the following extract from an American magazine in his book entitled: "Pardah" (veil):- "Three satanic powers have cast their full sway on the world of today. These are: (i) Obscure and indecent literature which is on increase since the second world war; (ii) Movie pictures which give an urge to carnal desires and even teach practical lessons of sex on the screen; (iii) the falling moral standard of females, their semi naked dress, their use of cigarette and their free mixing with males. These negative forces are bound to drag us to the point of destruction and the total extinction of our Christian civilisation. If not effectively checked, we shall face the destiny of Romans and the previous nations of their like who were effaced from the world. Worship of carnal desires, lust, wine and indulgence in women dance will soon land the modern humanity in the pits of dark death.

**Sense of Modesty in Islam:**

To save its followers from baneful effects of moral degeneration, Islam introduced in its teachings a complete and effective system of modesty. The Holy Prophet (ﷺ) emphasised in many ways the need for natural sense of shame. Once he heard a man from the Ansar talking to his brother: "Do not carry shame to the extreme." He (ﷺ) at once interrupted him with the words: "Do not say so because shame is a part of the faith." In the terminology of the Islamic law of Shariat, "Haya" (Shame) is the human quality which urges a human being to give up every indecent thing. Another saying of the Holy Prophet (ﷺ) amplifies the sense of shame: "Haya (shame) brings nothing but goodness."

Shame or modesty is an essential feature of the human character in words, acts or conduct. Without shame there is every danger of going astray. He (ﷺ) said: "Once you become shameless you may do whatever you like." He (ﷺ) further explained this point: "Modesty and shame is essential part of the faith which will earn for man an entry into Paradise; shamelessness is oppression and violence which will land a man into fire of Hell."

After explaining the importance of modesty, Islam has given a detailed picture of such things which are produced by immodesty and lewdness, which in turn, destroy the sense of good morals, chastity and decency. The injunctions and teachings of Islam which are calculated to foster the sense of morality and modesty are reproduced in reasonable details.

**Immoral boldness of the eyes:**

The mother of moral events is the boldness of the eyes which is at the root of all immorality. Bold and lustful eyes are the harbingers of fornication. Loving eye has been called the arrow of Cupid. Love has been defined in poetical language as something which enters the heart of man through the eyes. Lustful eyes are a message for lustful conduct. All religious scholars and men of letters are unanimous in accepting the evil effects of lustful eyes. When Islam came to the human world, it declared:

قُلْ لِلَّذِينَ آمَنُوا مِنْ أَبْصَارِهِمْ يَنْظُرُوا فَرُجَهُمْ ذَٰلِكَ أَذَىٰ  
لَهُمْ إِنْ أَتَاهُمْ خَيْرٌ مِمَّا يَشْتَهُونَ -

"Say to the believing men and women to turn away their eyes (from what is unlawful) and to restrain their sexual desires. This will make their lives purer. Allah has knowledge of all their actions." (S-24: V-30)

This injunction of Islam has closed the doors of illicit relations between the males and the females and has given them conception of pure life.

The above quoted injunction is binding on all Muslim men and women. To lower the glances and turn them away from seeing unlawful things is an injunction based on eternal Divine wisdom because the love of opposite sex and the desire of association is deeply inherent in the nature of human beings. Says Allah, the Exalted:

رُيِّنَ لِلنَّاسِ حُبُّ الشَّهَوَاتِ مِنَ النِّسَاءِ - (آل عمران)



"Men are tempted by the lure of women and offspring, of hoarded treasures of gold and silver of splendid horses, cattle and plantations. These are the comforts of this life, but far better is the return to Allah." (S-3: V-14)

"The greatest trials for men are the women." So said the Holy Prophet (ﷺ). Again He (ﷺ) said: "Fear the (spell of) this world and (the charm of) women. The first trials for the children of Israel was their women."

Keeping in view the nature of human beings, God has allowed the institution of marriage. After making lawful provision for the outlet of sexual desires, He, the Exalted, taught human beings the ways and means of keeping their sexual urge under control. Exceeding lust was made unlawful and permissible. The human society was thus protected from turmoil and social disorder.

#### Injunctions for women:

Islam has recognised the existence of sexual urge in both males and females. While providing lawful outlet to both the sexes, it has particularly addressed the women to guard their chastity and told them in details the *modus operandi* for such protection. Says the Holy Qur'an:

قُلْ يَلْمُزُ مَنَاتٍ يَفْضَحْنَ مِنْ  
أَبْصَارِهِنَّ وَيَحْفَظْنَ فُرُوجَهُنَّ

وَلَا يُبْدِينَ زِينَتَهُنَّ إِلَّا مَا ظَهَرَ  
مِنْهَا - (نور- ٣١)

"Say to the believing women to turn their eyes away (from temptation) and to preserve their chastity: to cover their adornments except such as are normally displayed; to draw their veils over their bosoms and not to reveal their finery except to their husbands, their fathers, their husband's fathers, their sons, their step sons, their brothers, their brother's sons, their sister's sons, their women servants, the women they possess, male attendants lacking in natural vigour, and children who have no knowledge of sex. And let them not stamp their foot in walking so as to reveal their hidden trinkets. Believers, turn to Allah together in repentance that you may prosper." (S-24: V-31)

Women are in no way less prone to sexual desire than men. At times they have the courage to take the initiative as we have read in the story of Prophet Joseph (عليه السلام). Guarding of the eyes is, therefore, still more important for them. They have to guard their own chastity and also to avoid all possible temptations for men to get drawn to them. The Divine injunctions, if followed in letter and spirit, are bound to save women from all acts and intentions of indecency. The self-same injunctions will create an atmosphere of moral rectitude for men also.

Co-education in schools and colleges has resulted in fostering the incidence of illicit sex among college boys and

girls in America and now-a-days every where in the world. Mrs. Truman, a former first lady of USA revealed in her speech captioned: "Moral degeneration" that the problem of millions of innocent, simple minded young college girls had perplexed the American thinkers. They have given birth to millions of children whose fathers are the young college boys. The result of complete freedom given to girl students who are deprived of paternal or filial love in their families. On reaching colleges they pick up boy friends immediately to satisfy their desire for being loved and eventually the results are visible in the form of wide-spread sexual corruption.

#### **Women must protect their eyes:**

Verse No: 31 of Surah: 24 (Light) read with other similar verses makes it absolutely unlawful for a woman that she may cast a glance on a man who is a stranger. This is irrespective of the fact whether the glance is with or without any lusty desire. The following event lends support to the above assertion: "It is narrated by Hazrat Umme Salma that she herself and her co-wife Hazrat Maimona (رضي الله عنها) were sitting in the company of Holy Prophet (صلی اللہ علیہ وسلم) when Ibn Umme Maktoom (رضي الله عنه) (a blind companion) entered upon the audience of the Holy Prophet (صلی اللہ علیہ وسلم) who directed both his wives to recede in the chamber and remain behind the screen. Umme Salma said: "O Messenger of Allah (صلی اللہ علیہ وسلم) is not Ibn-e-Umme Maktoom (رضي الله عنه) a blind man?" The Holy Prophet (صلی اللہ علیہ وسلم) remarked: "True! but you both the ladies are not blind. Can't you see him?"

This event took place after the order for "veil" had been revealed. The inference drawn by scholars of Islam from the event is that a woman is forbidden to see the face of a stranger even if he is blind. Saeed bin Jobair (رضي الله عنه) said in interpretation of the words:

(they may guard their chastity)

that this injunction forbids all kinds of lewdness and indecency by women." Two other scholars, Qatadah and Sufayan said that this order applied to all such things which are unlawful for the Muslim woman. Maulana Ashraf Ali Thanwi, a great Muslim scholar of modern times has explained the verse in good detail. He writes: It is unlawful for a Muslim woman to see with lustful glance any one except her husband. A glance without lust may be cast by one woman on another woman's body except the parts from the navel to the knees. A glance on strange man is also forbidden in most of the schools of jurisprudence, except Hanfi who regard it as not unlawful but undesirable. The safest course of action is that first glance which is sudden and without intention is pardonable. Afterwards it may be lowered or deviated.

#### **Trouble arising from sight:**

Hafiz Ibn-ul-Qayyim has explained the verse in his own words. He wrote: "Sight is the harbinger of lust and the protection of sight is in fact protection of the private parts and the organs of lust. Any one who gives freedom to his eyes, he has indeed confronted his eyes with ruin. Sight is the root of all troubles. Sight creates intention which gives



rise to thought; thought gives rise to desire which changes into determination which may culminate into a deed. It is well said: "It is easy to close the eyes but it is difficult to bear what the sight can possibly do." The Holy Prophet (ﷺ) made a pretty remark: "Glance is one of the poisonous arrows of Satan." Another Tradition explains the process which various human organs can play to the performance of the heinous sin of fornication. He (ﷺ) said: "The fornication of the eyes is to see the unlawful. The fornication of the ears is to hear the unlawful (voice); the fornication of the tongue is to hold conversation with an unlawful person (man or woman); the fornication of the feet is to walk down to the place (when fornication is intended to be done); the fornication of the mind is to wish the sinful performance and the sexual organ (of a man or a woman) either confirms or desires the actual performance." Some of the elderly scholars of Islam said: "A glance is like a poisonous arrow which throws poison into the heart." The mischief of sight can create problems of major importance. It can jeopardise the peace and prosperity of a nation. It can ruin the moral fabric of a nation. It can destroy the values of decency, modesty and chastity at a national level. The mischief of amorous looks must be avoided at all costs.

#### Advice to lower the looks:

In view of the possible mischief of amorous looks, the Holy Prophet (ﷺ) emphatically enjoined on his followers to cast down their looks. In many ways he tried to bring home its importance. Once He (ﷺ) said to Hazrat Ali (رضي الله عنه) "O Ali! do not repeat if you happen to

cast a glance because the first glance is pardonable." He (ﷺ) advised Hazrat Jareer (رضي الله عنه) to turn away his glance after it has fallen on an unlawful face, or to cast it down. Again He (ﷺ) said: "Lower down your looks and guard your chastity." Once, in a gathering of the companions, the Holy Prophet (ﷺ) asked: "Which conduct is the very best for women?" Hazrat Ali (رضي الله عنه) who was among the companions did not conceive a reply and, on reaching home, asked Hazrat Fatima (رضي الله عنها) who replied: "The best conduct for women is that they should remain protected from the looks of men." Hazrat Ali (رضي الله عنه) was so much delighted with this reply that he at once ran to the Holy Prophet (ﷺ) and told him the answer given by Hazrat Fatima (رضي الله عنها) on which the Holy Prophet (ﷺ) said: "Fatima (رضي الله عنها) is a part of me."

People have been prohibited from sitting in gathering on the broad avenues because every type of persons pass through common ways and looks of most people are reckless. When the companions explained the difficulty to avoid sitting on common ways, the Holy Prophet (ﷺ) said: "Then give the common ways their proper sight and that is: cast down your looks; avoid slightest trouble; reciprocate greetings; enjoin what is good and prohibit what is bad."

On another occasion, the Holy Prophet (ﷺ) said: "if you give me guarantee of six rules of conduct, I shall give you guarantee of Paradise: When you speak, do not tell a lie; you should not betray your trust; you should not break your promise; you may cast down your looks and guard your chastity."

Once He (ﷺ) said: "If un-intentionally, a Muslim happens to cast his glance at a beautiful woman and then immediately lowers his sight, God will grant him sweetness in his acts of worship." Tabrani (A book of Tradition) stated: "You must cast down your looks and guard your chastity."

#### Advantages of casting down looks:

Once, the Holy Prophet (ﷺ) said: "Human looks are like poisonous arrows let loose by Satan. Whoso guards his looks, he is rewarded with sweetness of faith pleasure of which a man will find in his heart." Again he said: "Whoso guarantees the protection of his tongue and his chastity I guarantee for him the entry into Paradise."

Ibn-e-Kathir, a great scholar of Islam, quoted a Tradition in which the Holy Prophet (ﷺ) is reported to have said: "On the Day of Judgment all eyes shall be weeping except (i) an eye which guarded itself from seeing prohibited faces; (ii) an eye which kept awake in the way of Allah; and (iii) an eye which wept due to fear of Allah." God is very kind to His creation. He has told us the ways and means to earn His pleasure and to save ourselves from large-scale catastrophies.

#### Particular address to women:

Since love of women has been placed in the hearts of men, the Divine wisdom has placed different types of taboos on their movements and banned the display of their beauty as they used to do in the pre-Islamic days of Jahiliyya. Says the Holy Qur'an:

دَقَرْنَ فِي بُيُوتِكِنَّ وَكُنَّ يَبْرَجْنَ تَبَرُّجًا  
الْجَاهِلِيَّةِ الْأُولَى (احزاب - ٣٠)

"Stay in your homes and do not display your finery as women used to do in the former days of Jahiliyya." (S-33: V-32)

The Muslim women have been instructed to give up the lewd and indecent ways of Jahiliyya, stay in their homes as dignified ladies and jealously guard the limits laid down by Shariat law. The pre-Islamic practice of women was highly amorous and the display of their beauty had created an atmosphere of indecency. Islam put a stop to all former practices and reckless ways of attraction.

In the 5th year of Hijra, the injunction about veil was revealed. Hazrat Umar Farooq (رضي الله عنه) was very thoughtful about the wives of the Holy Prophet (ﷺ) and disliked visit of all sorts of men and women. In the heart of his hearts he wished for a Divine order forbidding the entry of all and sundry into the chamber of the Holy Prophet (ﷺ). His wish was granted and the following verse was revealed:

يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَدْخُلُوا بُيُوتَ النَّبِيِّ إِلَّا أَنْ يُؤْذَنَ لَكُمْ  
(احزاب - ٤٠)

"Believers, do not enter the houses of the Prophet for a meal without waiting for the proper time, unless you are given leave." (S-33: V-53)



**Contact only behind a curtain:**

The precise occasion when the verses about curtain were revealed was the marriage of Hazrat Zainab bin Jahash (رضي الله عنها). People were invited to the marriage feast and some three of them did not leave after eating but engaged themselves in conversation which annoyed the Holy Prophet (صلی اللہ علیہ وسلم) but he would not ask them to go due to modesty and shyness. Then and there the instructions about curtain were revealed.

وَاِذَا سَأَلَكَ الْمَوَدَّ مَتَاعًا فَاسْأَلْهُ مِنْ  
 مِنْ ذَوِّ الْحِجَابِ ذَا يَكْمُرُ أَطْمَرُ  
 لِقُلُوبِكُمْ وَقُلُوبِهِنَّ - (احزاب - ٤٠)

It was declared: But if you are invited, enter; and when you have eaten, disperse. Do not engage in familiar talk, for this would annoy the Prophet and he would be ashamed to bid you go: but of truth Allah is not ashamed. If you ask his wives for anything, speak to them from behind a curtain. This is more chaste for your hearts and their hearts. You must not annoy Allah's Prophet (صلی اللہ علیہ وسلم), nor shall you wed his wives after him;" (S-33 :V-53-54).

The above verses pertain to a definite occasion but their import is universal and for all times. There could henceforth

be no direct talk or direct contact with wives of the Holy Prophet (صلی اللہ علیہ وسلم) and with all Muslim women for all time to come except behind a curtain.

**Mixed society harmful:**

No body can deny the fact that the peculiar contention of male and female and their sentimental setup gives the inter-mixing of men and women an opportunity for free exchange of words which can pave the way for immodesty and lewdness. There is no doubt that a great number of men and women are reliable in their conduct and behaviour, but a large number is led more by sentiments than rational thoughts. The excessive sexual urge with which nature has endowed both men and women is always anxious to find an outlet and there are very few human beings who are capable of resisting the temptation. The moral history of mankind and particularly of the modern civilised nations is replete with events which have shaken their well-wishers and national thinkers to criticise and propose steps for moral reformation to minimise the incidence of moral and sexual corruption. Co-education in Europe and America and now in our own country has produced nerve-racking results. Co-education not only saps the morality of boys and girls but it also stands in the way of proper education and achieving the desired results. The girl students who spend years of co-education in schools and colleges are no longer fit for the household which is their responsibility on marriage

Illicit sexual relation push them into moral degeneration and they cannot shape into good and useful citizens. About America, the observations of Judge Lindsay are: "As many as 495 young girls of High schools admitted before me that

they already had sexual experience with boy friends. At least 45 per cent of the High school students leave their schools after illicit sex." An education expert, Mrs. Hall wrote in her report: "The system of co-education is full of dangers. All claims for its usefulness are superficial and the results are most discouraging. Difficulties of sentimental nature arise among the young male and female students sight from the beginning and stand in the way of serious study and concentration of the mind. Male and female students between the ages of 14 and 18 years can not escape from building sentimental relations ending in illicit sexual experience. Some times such relations are also built up between the teachers and the taught."

The observations of western thinkers are eye-openers and indicate their heart-felt anxiety for moral reformation which the teachings of Islam adequately provide. Islam is the religion of nature. The Divine teachings, injunctions and prohibitions are based on human psychology and can produce the desired results for moral rectitude.

#### Need for differentiation of good and bad:

The society is comprised of people belonging to various levels of moral standard. There are bad people living along with good people. They are keen to spread lewdness and indecency in the society. Both men and women of doubtful moral integrity are helpful to each other in spreading moral chaos and degeneration in the rank and file of good people who want to uphold their moral values and standards. As such, differentiation and segregation between the two groups of society appears to be necessary in the large

interests of society. Divine's wisdom has given following interactions to the women of good moral character:

يَا أَيُّهَا الَّذِينَ آمَنُوا قُلْ لِرَبِّكِ وَأَهْلِكِ وَبَنَاتِكَ الْمُؤْمِنَاتِ يَدْنِيَتْ  
عَلَيْهِنَّ مِنْ جَلْبَابٍ ذَٰلِكَ أَذَىٰ أَنْ يُعْرِفْنَ فَلَا يُؤْذِبْنَ وَكَانَ  
اللَّهُ غَفُورًا رَحِيمًا  
(احزاب - ٥٠)

Prophet, enjoin your wives, your daughters and the wives of true believers to draw their veils close round them. That is more proper, so that they may be recognized and not molested. Allah is Forgiving and Merciful." (S-33: V-58)

Chaste and pure Muslim women have been called upon to use their veils properly so that there is distinction in society between women of high morality and ordinary women. This will obviate chances of their being teased and molested by men of doubtful moral character who are out in search of women of low moral standards who purposely decorate themselves and come out in the open streets with finery and embellishment, Maulana Shabbir Ahmad Usmani, a great scholar of Islam, has explained that women of believers who wrap themselves in long sheet of cloth should put a part of the sheet on their faces so that only eyes are visible. This is necessary in times of moral degeneration

#### Distinctive dress for chaste women:

During the days of the Holy Prophet (ﷺ) some Jewish ruffians used to tease women in Madina. Some times even believing and chaste Muslim women also became their target. To avoid such incidents, distinctive feature was introduced in the dress of Muslim women by adding veil and



large wrapping cloth sheets. After this distinction in dress, it was revealed in the Holy Qur'an:

لَيْسَ لَكَ بِنْتٌ إِلَّا الْمُنَافِقُونَ وَالَّذِينَ فِي قُلُوبِهِمْ  
مَرَضٌ وَالْمُرْجِفُونَ فِي الْمَدِينَةِ لَنُغْرِيَنَّكَ  
بِهِمْ ثُمَّ لَنَنَاجِرَنَّكَ فَيُهَارِجُوكَ فِيهَا إِرَاقًا قَلِيلًا -

(النساء - ٨)

"If the hypocrites and those who have disease in their hearts and the scandal mongers of Madina do not desist, we will rouse you against them and they will be your neighbours in it only for a while. Cursed wherever they are found, they will be seized and put to death." (S-33 : V-60)

After this injunction the Jews who insisted on malbehaviour were banished from Madina.

#### Conditions for outdoor activity of Muslim women:

The ideal position for a Muslim woman is that she may confine her activities to the four walls of her house. The directive of the Holy Qur'an:

وَلْيَضْحَكُنَّ يَخْفَيْنَ عَلَى الْجَاهِلِينَ (نور - ٣١)

"Stay in your homes and do not display your finery as women used to do in the former days of Jahiliyya." (S-33 : V-32)

Provides the guide-lines for all Muslim women although it is addressed specifically to the wives of the Holy

Prophet (ﷺ). The directive of the Holy Prophet (ﷺ) amplifies the status of woman: "A woman is a covert (concealed) creation. When she goes out (of her home), the Satan peeps at her. To stay in a corner of her home is a real blessing of God for her."

If it becomes unavoidable for a woman to go out of her home, she must obey the Divine injunctions. She should lower her eyes and protect her chastity and avoid all places of mixed gathering like a club, cinema hall, and Theater etc. She may conceal her body completely in a large sheet of cloth and, except her hands and eyes, nothing should be visible. She may conceal her body in such a way that the undulations of her physical frame not remain completely under cover. As laid down in verse No: 31 of Ch: 24 (Light) of the Holy Qur'an, they should draw their veils over their bosoms and not reveal their finery. The head cover should completely fall on the shirt so that no part of the chest is visible. Muslim women of the Holy Prophet's (ﷺ) time tore their large cloth sheets to prepare their head gears after the verses for Hijab (veil) were made known to them.

#### Not to display adornments:

When they are out of their homes, the Muslim women must bear in mind the instructions contained in verse No: 31 of Surah No: 24 (Light) which lays down:

"And let them not stamp their feet in walking so as to reveal their tinklets."

It is common sense that, when the ornaments like tinklets which produce sound are not to be displayed and

stamping of the feet is forbidden, the bodily organs which are adorned with such ornaments are certainly to be kept under screen.

The scholars of the Holy Qur'an like Baizavi and Ibn-e-Kathir have stated that the musical sound of tinklets or such other ornaments which produce musical sound are forbidden because they instigate the men to see the person of women and get closer to them. A small daughter of Hazrat Zubair (رضي الله عنه) went to the house of Hazrat Umar (رضي الله عنه) with tinklets in her feet. Hazrat Umar (رضي الله عنه) at once removed it and said: "The Holy Prophet (صلى الله عليه وسلم) has stated: "With every bell (musical sound), there is a devil." Another event happened when a woman wore an ornament with a musical sound. Hazrat Aisha (رضي الله عنها) prevented her and said: "Angels do not enter a house where there are musical sounds."

#### **Exit prohibited if perfumed:**

The injunction forbidding the stamping of feet when trinkets are on a woman's feet points to the spirit that nothing on the person of a woman should divert the attention of male passers by to her. As such, a woman who is well scented and perfumed is more to invite attention of the male passers by than the musical sound of her ornaments. As such, Islam forbids a Muslim woman to adorning her body with perfume even when she is going to a mosque for her prayers. Even shining and lustrous dress is forbidden when she wishes to go to mosque for prayer or other worship. The broad principle is that she may go out of her home in such condition that her person does not in any way attract the attention of male persons near about. A

Tradition reads: "Every eye (can) commit (act of) fornication; and a woman who is thoroughly perfumed is so and so (of doubtful character) if she passes through an assembly of men."

Once Hazrat Abu Horairah (رضي الله عنه) met a woman coming out of the mosque. She was well anointed with perfume. He asked her: "Have you anointed your person with perfume?" She replied: "Yes." Then Hazrat Abu Horairah (رضي الله عنه) said: "I have heard my master, the Holy Prophet (صلى الله عليه وسلم) saying that Allah, the Exalted, does not accept the worship and prayers of a woman who visits the mosque with perfumed body." On hearing the order of the Holy Prophet (صلى الله عليه وسلم) she at once returned home and washed her clothes to clear the scent smeared on them. On one occasion the Holy Prophet (صلى الله عليه وسلم) said: "A woman well decorated for an assembly other than her own homely people is like the darkness of the Day of Judgment when she will have no light to see."

#### **Women to avoid thorough farers:**

In early Islam women were allowed to attend congregational prayers and were directed to stand in the last line of congregation. On leaving the mosque, men were forbidden to leave before the women had vacated the mosque. If they happened to be together on the way to their homes, joining was forbidden and the women were asked to walk on the extreme ends of the thorough fare. The women often walked near the walls and their clothes touched the walls on the way. No body who has an iota of a common sense can deny the wisdom of the aforesaid instruction



which are responsible for the protection of chastity and modesty of women and have great reformatory effects in the society.

#### No softness in speech:

If occasions arise when talking with a strange man becomes necessary, the Muslim women are called upon to talk behind the curtain and their accent should have no softness lest a mischievous man may draw uncalled for conclusions. Says the Holy Qur'an:

ذَلِكُمْ تَحْصَنُ يَا نَفْسُ الْقَيْطَمِ الَّذِي فِي قَلْبِهِ مَرْمٌ  
وَكُنْ قَوَّامَةً مَعْرُوفًا - (احزاب - ٣٤)

"Wives of the Prophet, (ﷺ) you are not other women. If you fear Allah, do not be soft and sweet in your speech, lest the lecherous hearted should be moved with desire. Show discretion in what you say." (S-33: V-32).

The etiquette of speech for conversation with the husband should be reserved only for him. Talk with any outsider must be business-like, curt and to the point. The Divine injunction is very lucid and clear and needs to be acted upon in letter and spirit. A woman can speak to outsiders at times under conditions laid down in the above quoted verse. Woman are bidden to say: "Aazaan" - i.e., call to prayer because it has to be in loud and winding accents and feminine voice is not fit for it.

#### Male exceptions for display of adornments:

Islam has prohibited with sternness that Muslim women may display their adornments, or they may come out

without veils or may talk to outsiders in soft and sweet accent. It has, however, made exceptions to general rules of female conduct in the case of close relatives such as father, real brother, real nephews, and such other male persons which God has permitted in His wisdom. says the Holy Qur'an:

ذَلِكُمْ يُذَكِّرُ الَّذِينَ يَتَّبِعُونَ آدَاءَ هُنَّ آدَاءَ بَعُولَتِهِنَّ أَوِ آبَاءِ هُنَّ أَوِ أَبَاءَ بَعُولَتِهِنَّ أَوِ أَبَاءَ هُنَّ  
أَوِ أَبَاءَ بَعُولَتِهِنَّ أَوِ إِخْوَانِهِنَّ أَوِ بَنِي إِخْوَانِهِنَّ أَوِ بَنِي أَخَوَاتِهِنَّ  
أَوِ بَنَاتِهِنَّ أَوِ مَا مَلَكَتْ أَيْمَانُهُنَّ أَوِ التَّابِعِينَ غَيْرِ أُولِي الْإِسْرَاءِ مِنَ  
الْجِنِّ وَالْإِنْسِ الَّذِينَ لَمْ يَنْظُرُوا عَلَى عَوْرَاتِ النِّسَاءِ - (نور - ٣٤)

"Say to the believing women ..... not to reveal their finery except to their husbands, their fathers, their husband's fathers, their sons, their step-sons, their brothers, their brothers' sons, their sister's sons, their women servants, the women they possess (slave-girl), male attendants lacking in natural vigour (eunuch) and children who have no knowledge of sex." (S-24 : V-31)

The above orders makes mention of brothers which stands for real brothers and not cousins from parents side; it certainly precludes all such brothers in relationship with whom marriage can be solemnised under the Muslim Law. Sisters' sons also stand for real sons of real sisters. Women servants means Muslim women and not infidel women who are not allowed to enter the privacy of Muslim families. Slave girls are admitted even if they are infidels. Among men, the minor boys or the short-witted men who are not

aware of sex are also exceptions for entry into privacy. Male persons of all ages – young and old are forbidden entry.

The order to display finery to male persons mentioned in the above verse does not mean that display should be specific. It is casual and per chance, and is confined to faces and hands, even ears, neck and arms which, if adorned, may remain open to the male persons mentioned in the Divine order quoted above.

#### **Eunuchs and grown-up boys not allowed:**

The eunuchs were initially allowed to enter the private apartments of Muslim ladies. But experience showed that they were interested in the beauty of women and were heard talking about them. Henceforth they were forbidden entry. The boys approaching the age of manhood were also prohibited.

#### **Close male relatives of husband forbidden:**

Among close relatives of the husband only his father has the privilege of entry into the privacy of a Muslim family. The real brother of the husband is also forbidden entry. As a matter of fact, husband's real brother has been strictly forbidden and has been termed as "death" i.e., death for the chastity of brides or wives.

#### **No male to see a woman alone:**

The purpose of the Islamic code of morality is to maintain and uphold the highest level of moral decency and to guard the chastity of Muslim women. As such, the Holy Prophet (ﷺ) enjoined: "No man should meet a woman in privacy because Satan is the third person."

#### **Avoid meeting women whose husbands are not at home:**

A saying of the Holy Prophet (ﷺ) clearly prohibited the visiting of a woman whose husband is away from home. The psychological aspect of this prohibition has been explained in the following words: "Because the Satan (evil force) runs into your body like the circulation of blood." The Holy Prophet (ﷺ) frankly admitted that the Satan (evil force) ran into the blood of every human being including himself but Allah, the Exalted, had granted him His support and the Satan (evil force) had been subjugated by him.

The psychological aspect of the attraction between male and female is brought out vividly by the above quoted Hadith. Hazrat Safiyya (رضي الله عنها) a wife of the Holy Prophet (ﷺ) went to see him in the mosque when he was in seclusion in the month of Ramzan. When she was returning home, the Holy Prophet accompanied her. They met two aged men of the Ansars who were addressed by the Holy Prophet (ﷺ): "You proceed peacefully. My wife, Safiyya, daughter of Hye is with me on her way to her home." The two aged men said in surprise: "Allah be praised and all glory is due to Him. Apostle of Allah! We could hardly suspect any thing untoward." The Holy Prophet (ﷺ) said: "The Devil runs into the blood of man. I feared lest the Devil may inspire any evil in your hearts."

#### **Modern research on human psychology:**

Roman Empire had played the role of a mother of the modern civilisation. Even during the palmy days of the Roman Empire, women were kept under veils and were not



allowed to move out or mix up with male members of society. The Encyclopedia of the 19th century states: "The Roman women were as much fond of hard work as the men were. Their activity was confined to their homes. Their husbands and fathers fought in the battle fields. On being free from the house-hold duties, the Roman women spent their time in spinning yarn, cleaning wool for weaving cloth. They were in strict veil and behind the screens. On coming out of their houses, they put on heavy veils on their faces and covered their entire bodies with large sheets of cloth which hanged down to their heels. Over and above the cloth sheet, a cloak was put on which completely concealed their physical person and it was difficult to know their features."

#### **Consequences of freedom of Roman women:**

Till such time the Romans kept their woman in veils and guarded their chastity, the nation progressed by leaps and bounds. They were, on account of their high morality, a leading nation of the world. Having reached the pinnacle of glory, they developed love for pleasure and rejoicing. The men cast aside all moral values and gradually brought out their women in mixed gatherings to make them 'alive' and joyful. Once the women were let out of their homes, the moral values suffered a set back and the decency and modesty of Roman women began to change into lewdness and immodesty. Dancing and wine became the order of the day and the national character of the Roman deteriorated sharply. The consequences of moral degeneration became visible in the loss of the Empire and the dignity of Romans fell to the ground. Freedom of women and the mixed gatherings brought about ruin of the Empire and the nation.

Professor Farid Wajdi analysed the situation in the following words: "When the women cast aside their veils, men were attracted towards them and jealous fights took between men who were once brave warriors of the empire. Internal quarrels and rivalries mostly on account of women brought about their political annihilation."

Professor Louis Parol goes on to analyse the fall of the Roman Empire: "The freedom of the Roman women and their free mixing with men developed moral degeneration in the higher strata of society. The amorous habits of the Romans and their lustful pursuits became so naked and objectionable that my pen shudders to mention the details. Mean-ness of character and internal strifes became the order of the day which gave rise to a prolonged civil war in which all higher values of life were ignored and the Romans sank to the level of beasts and carnivorous animals."

#### **Divine law on veil appreciated by European thinkers:**

The European thinkers like August Count have, in the light of history and the experience of various nations, appreciated the usefulness of the Divine Law on women's veil and screen as revealed in the Holy Qur'an. He writes: As in our age the morbid thinking of men on the social status of women has been leading us into wrong conclusions as has been done in every era of history when changes in the order of civilisation and principles of sociology took place. But the Law of Nature has always declared that household and home life is the real field of activity for the female sex. This law is so correct and so well determined that it has always dominated all channels of incorrect thinking by

human thinkers in all the ages of history. The involvement of women in the affairs designed by Nature for men has always produced troublesome results. The remedy of human social ills lies in final determination of the fields of activity by men and women. It is the duty of man to arrange for the boarding and lodging of woman. This indeed is the real Law of Nature which confines the female activities to the administration of the home and discharge of house-hold activities. This rule of collective responsibility confirms the female activity to her home and children. It is also most conducive to the natural sentiments of women and induces the female sex to contribute to the progress of humanity in the specific field."

Zal Seeman, a scholar of Material Sciences writes: "A woman needs in her own interest to remain a woman. There is no doubt that her salvation lies in her consciousness of her female sex and the activities which Nature has entrusted to her by virtue of her sex. She will realise her real value of existence if she remains close to her natural position and she will create troubles for her, if she denies her natural status and indulges in male activities. The life of human beings would be pleasant, pure and satisfactory if men and women understand their natural fields of activity and confine themselves individually to remain within those fields." European scholars have, in the light of centuries experience, come to admit the truth that a woman who fails to discharge her obligation of sexual life, she no longer remains a woman. Zal Seeman writes: "A woman who indulges in extra-mural activities does a lot of work but she ceases to be a woman."

### **Responsibility of our society:**

Many Muslims of our times, through ignorance of human psychology criticise the Divine order of veil and screen for women. They may re-consider their stand in the light of the views presented by August Count who says: "In the absence of a husband or a near relative of a husband, it is the moral responsibility of society to make arrangements for the natural day to day requirements of a (widowed) woman so that she has not to step out of the four walls of her home for livelihood. As far as possible, the activity of a woman must remain confined to indoor duties and we (the society) must try its level best to protect her from the rigours of outdoor duties."

The social law promulgated by Islam for the segregation of sexes is now being appreciated by the western thinkers. Islam places the burden of helpless women on the Baitul-Mal (national treasury) which the western scholars now appreciate as the real solution of the human problems.

### **Emancipation of women against their own interest:**

It cannot be denied that freedom of women brings a country to its ultimate ruin; it breaks the back bone of the nation and drives the women themselves to the thoroughfare leading to Hell. Unwillingly the women are happy that they are free to move among men and are working in various departments side by side with men. The fact of the situation is that she is being used as a beast of burden and is getting removed and far away from the duties she had been given by nature. She has become a tool or a toy in the hands of men who are dangerously selfish. She has to appear on



screens, act in the cinema halls and theatres, dance in the club and dancing hall only to please the male sex. Worst of all her exploitation in sexual field. Unfortunately she misunderstands her social status and is happy in her mind to have earned freedom.

#### **Women freedom dangerous for social order:**

The male section of our society seldom cares to realise that the so-called freedom of women has done the social order immense harm. Many ladies of respectable families have left their homes and joined the film industry or the show business or even the dancing club. Many respectable young women have been molested by selfish men under pretext of freedom in Colleges, Universities, offices and even hospitals. The chastity of the female sex which Islam holds as the highest moral value has been thrown away as a cheap exchange for material comforts.

#### **Latitude to ladies ruinous:**

Pakistani thinker, scholar and journalist, Maulana Maher-ul-Qadri has correctly depicted the picture of women emancipation in the following words: "The female eagerness to unveil and uncover their faces has not been confined to men unveiling of the faces. It has become limitless. Women have used the latitude to exceed all limits of decency. In arrogant disregard of the teachings of Islam they are displaying their finery and recklessly lifting their gaze to attract male members of society. The eagerness for self-display has made them so bold that Islamic injunctions for female dress have been recklessly violated. Parts of the body which need to be covered are being displayed and ill-advised

steps to nudism are being taken gradually. Display of finery in the public, decoration and ornamentation to attract males is even on increase. All limits of decency and modesty are being violated and the woman whose natural shame and shyness was a model of woman-hood is now out in the club and dancing halls to embrace all sorts of men and to engage herself in dancing and amorous activities.

#### **Veil does not weaken nervous system:**

The modern Muslims who have not cared to study the basic teachings of Islam are seen talking about the ills and dis-advantages of veil for the women. They complain that the women who are confined to indoors are deprived of education, lose their nervous powers and are even more lusty. This is absolutely incorrect and based on ignorance. The incidence of suicide is on the increase among women who are free lancers and who freely mix with men. The blame of being lusty is equally incorrect in the light of harrowing details of free sex among European and American institutions pertaining to different departments of life. As regards the acquisition of knowledge, the record of Muslim scholar women is very bright and history gives the names of highly learned Muslim women who spent their lives under veil. Another objection to veil is that women under veil are frequently being divorced. This is also based on misinformation. The statistics of divorce in the so-called developed countries where there is no veil speak for themselves.

**Veil only sure protection of chastity:**

We wish to bring home the reality that protection of female chastity is only possible by adopting the veil and screen as enjoined by Islam. After experience of women emancipation over past centuries the European countries appear to have been forced to think of introducing the Islamic ways of protection for chastity. In Germany there is already a movement: "Women to go back in homes." In America every year as many as hundred thousand cases of suicide attempt are registered which are largely due to love affairs. The majority of such cases is of women.

**Effective precautions to protect chastity:**

The Holy Prophet of Islam (ﷺ) taught his followers to take precautions of psychological nature for the protection of chastity of their women some of these are:

- i) A woman meeting another woman should not disclose to her husband the details of physical features and beauty aspects of the other woman lest he may be led to build up contact with the other woman who is unlawful for him.
- ii) A woman meeting another woman should not narrate to her the minor details of what transpire between a wife and her husband in their bed. This could create troubles.
- iii) Similarly no man should narrate to another man his private life's details. "The worst among men is he who unveils his wife's private life to another man." This was the warning given by the Holy Prophet (ﷺ).

Islam has forbidden all such conversation, speech, signs or acts which are likely to create sexual agitation in men or women. Imam Nowi has discouraged the mention of sexual process as irrelevant and useless. The Holy Prophet (ﷺ) prevented a male from seeing the private part of a male and a female from seeing the private part of a female. This is to check any possibility of sexual agitation in both sexes. Instances are available that at times men get into love with men and the consequences are visible in acts of sodomy. Similarly women also can fall in love with women and practice homo-sexuality.

Among precautions taught by Islam are the instructions that no two men or two women should lie together under one cover. The psychology behind these instructions is very clear that such close physical contact even with the same sex is likely to agitate the sexual urge. Islam has also forbidden all men to see the physical part of other man from the navel to the knees and the women from seeing that much part of the other women. Islam has forbidden seeing one's own private part of the body.

The Holy Prophet (ﷺ) also gave the following precautionary instructions:

- i) "Beware of being naked because angels (who scribe the deeds) always accompany you except when you go to clear bowls or to meet your wife."
- ii) "Guard your private parts even you are alone and be modest before God (who is always watching) except when you are with your lawful mate."
- iii) "Beware to spend your night with a married woman except that she may be unlawful for you."



iv) "No faithful woman may travel for the duration of one day and one night without her lawful male companion."

The lawful male companion is one with whom marriage is forbidden. Such a companion can be either father or brother. A woman traveller is open to many risks which may involve her person, her property or her privacy.

Among many precautionary instructions, the Holy Prophet (ﷺ) gave the following orders: "No man should meet a woman except in the presence of a lawful male. No woman should travel without a lawful male companion." A man suggested that his wife was intending to proceed on Haj pilgrimage and he himself intended to proceed for a Jihad (fight with infidels). The Holy Prophet (ﷺ) asked him to accompany his wife on pilgrimage.

#### **Protection of family honour when on travel:**

The protection of honour and chastity is of paramount importance for a faithful Muslim. When proceeding on a journey, the Muslims have been taught to pray to God in the following words: "O Allah! You are my company in my journey and you are to look after my family and my property in the course of my absence. I seek Thy shelter and Thy protection from difficulties and unpleasantness of the ensuing journey. I also seek Thy protection from any untoward happening in my family and property." The instructions of the Holy Prophet (ﷺ) that a man must immediately return home when the needful is done for which the journey was undertaken. He said: "Travel is a sort of torment. It prevents you from usual food, drink and

complete rest. You must return to your family when the needful is done."

#### **Protection of the honour of fighters in the cause of Islam:**

The Holy Prophet (ﷺ) said: "The honour and respect of the wives of fighting soldiers of Islam is as great as that of your mothers. If any one among you betrays the honour of the family of a fighting soldier, he will face the Mujahid on the Day of Judgment with the Divine verdict that all his virtues are transferred to the account of the Mujahid."

#### **Islamic rules for seeking permission for entry to houses and private chambers**

Islam has laid down rules and regulations for all social dealings of human beings and for all occasions when moral behaviour becomes the criterion. Since protection of chastity and dissemination of modesty in society are the basic aims of Islam, it has laid down a general rule that no body will enter the house of another man without seeking specific permission from the head of the family residing there or the owner of the house. The modus operandi for such permission has also been clearly laid down.

#### **Entry into residential houses:**

Except enclosures of public interest like a mosque a monastery, a meeting hall or an Inn, where free entry is open for every body, Islam has forbidden entry without specific permission. Says the Holy Qur'an:

يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَدْخُلُوا بُيُوتًا غَيْرَ بُيُوتِكُمْ حَتَّى تَسْأَلُوا  
تَسْمِعُوا عَلَىٰ أَهْلِهَا فَإِذَا سَمِعْتُمْ تَعْلَمُوا تَدْخُلُونَ -  
(الر-٢٨)

فَإِنْ لَمْ تَجِدُوا فِيهَا أَحَدًا فَلَا تَدْخُلُوهَا حَتَّىٰ يُؤْذَنَ لَكُمْ وَإِنْ  
قِيلَ لَكُمْ ارْجِعُوا فَارْجِعُوا أَمْوَازِكُمْ وَلَا تَعْلمُونَ عِلْمًا -  
(الر-٢٩)

"Believers, do not enter the dwellings of other men until you have asked their owner's permission and wished them peace. That will be best for you. Perchance you will take heed. If you find no one in them, do not go in till you are given leave. If you are refused admission, it is but right that you should go away Allah has knowledge of all your actions." (S-24 : V-27-28)

However houses or enclosures where no body is living and it contains only luggage belonging to intending persons, there is no hitch for entry. Says the Holy Qur'an:

"It is no fault on your part to enter houses not used for living in, which serve some (other) use for you. Allah has knowledge of what ye reveal and what ye conceal." (S-24: V-29)

The entry into any one's house is conditioned by permission for entry in a decent way. In case of no permission the stranger is advised to return without any murmur or grievance. It is against etiquette to insist on

permission and the Divine injunction is very clear on this point.

The wisdom behind seeking permission is that it can be harmful for both the inmates and the outsider if entry is forced without permission. Permission is also encouraged in houses where joint family system is extensive. the purpose is to alert the women folk belonging to different sections of the family to conceal their finery or even to go behind screen in case of necessity. Permission is to be sought thrice and no more. If permission for entry is not given, the seeking person must go away and not insist any more. This etiquette has been taught by the Holy Prophet (ﷺ).

#### Correct way of seeking permission:

When we study the instructions and the precedent of the Holy Prophet (ﷺ) in the matter of granting permission for entry, we are convinced that the whole procedure is intended to create mutual love and regard. A man seeking permission is to send greetings or salutation to the inmates first and then speak out the words to seek permission. Naturally love begets love. When you send peace to a person, the response will also be peace. After selection the owner of the house or the head of the family be inclined naturally to grant permission.

Hazrat Kaldah bin Al-Hanbel (رضي الله عنه) said that he entered upon the audience of the Holy Prophet (ﷺ) without salutation but was asked to go back and re-enter after saying: "Assalamo-Alaikum."

Precedents of the Holy Prophet (ﷺ) himself and the companions regarding etiquette of permission are to be



greatly appreciated. Hazrat Abu Moosa Ash'ari (رضي الله عنه) (a companion of great renown and importance) once called on Hazrat Umar (رضي الله عنه) and sought permission for entry thrice but was given no reply because Hazrat Umar (رضي الله عنه) was too busy. Hazrat Moosa Ash'ari (رضي الله عنه) returned without any complaint. Hazrat Umar (رضي الله عنه) saw him after a while and asked why he had left to which he replied? "Permission is sought thrice which I did. After that I must return under the injunctions of the Holy Prophet (صلی اللہ علیہ وسلم)."

The Holy Prophet (صلی اللہ علیہ وسلم) himself went to see Hazrat Sa'ad bin Abadah (رضي الله عنه), sent salutations thrice and sought permission after each salutation. When no reply came, He (صلی اللہ علیہ وسلم) left the place. But Hazrat Sa'ad ran after him and brought him to his home most respectfully.

#### **Peeping into houses forbidden:**

The necessity of seeking permission has arisen from the fact that out-siders may peep into the crevices of the entrance door of a house to find if the inmates are available. Once the Holy Prophet (صلی اللہ علیہ وسلم) was sitting in his chamber, scratching his head with knife. Some body came and began to peep through the crevices of the door. On learning this, He (صلی اللہ علیہ وسلم) was angry and said: "Had I known, I would have pricked his eyes. Did he not know that the rule of seeking permission for entrance was to avoid uncalled for peeping." This is also part of the etiquette that a man seeking permission must not stand just in front of the entrance of a house but on its right or left. Hazrat Abdullah bin Basr (رضي الله عنه) that, whenever the Holy Prophet (صلی اللہ علیہ وسلم)

came to his house, he stood on the right or left side of the door and said: "Assalamo-Alaikum." During those days there was no usage of hanging curtains in front of the entrance door. The Holy Prophet (صلی اللہ علیہ وسلم) said: "If a person peeps into your house through a crevice in the door or through a side window, you are allowed to throw pebble at him even if his eyes are injured."

#### **Popular name must be told before seeking permission:**

After salutation, the outsider seeking permission must tell his popular name before asking for permission. The inmates of the house must know who is seeking permission. Once Hazrat Jabir (رضي الله عنه) came to the house of the Holy Prophet (صلی اللہ علیہ وسلم) and, after salutation, did not disclose his name but mainly said: "It is I." Then Holy Prophet did not like it and asked the companions to pronounce their popular names.

#### **Permission for admission also necessary for close female relatives:**

It is also necessary to seek permission for entry into a chamber when close relatives like mother, sister or daughter may be sitting. This is necessary because the female relatives may at times be under physical conditions requiring modesty and shame. A woman from the Ansar of Madina came to the audience of the Holy Prophet (صلی اللہ علیہ وسلم) and complained that: "at times I am in such a condition that I do not like my father or son or brother to see me in that condition but my

family members enter upon my privacy in such a condition.” After this complaint, the verse:

“Do not enter the houses” was revealed.

There is narration of many incidents in the books of Tradition that even the lawful relatives should seek permission before entry into privacy of house inmates. This is good etiquette and is necessary for the reason that women folk, when sitting among themselves, are not always careful about minor details of modesty. As a matter of fact even a husband would not like to enter upon the privacy of his wife when she is not in complete dress.

#### Seek permission even from mother:

The Holy Prophet (ﷺ) advised companions to seek permission even from one's own mother before entering her privacy because no body would like to see his mother with insufficient clothes on her person.

#### Practice of the pious old people:

Hazrat Zainab (رضي الله عنها), wife of Hazrat Abdullah bin Masood (رضي الله عنه) stated that her husband always waited at the entrance of the house and did not come in until he made sound like spitting or coughing. Hazrat Abu Obaidah (رضي الله عنه) always sought permission in loud voice before entering his house. Hazrat Imam Ahmad bin Hanbal (رحمته الله) advised people to indicate by some sort of loud sound before entering their homes. The etiquette of three salutations before seeking permission has been taught with purpose. The first salutation alerts the inmates that some one is

outside who wants admission. The second and third gives them time to get prepared to receive the guest or to decline him admission.

Ibn-ul-Arabi, Imam Maalik, Hazrat Ibn-e-Masood and Ibn-e-Abbas (رضي الله عنه) have all recommended that men must give indications of their entry by some sort of loud sound before entering their homes because women folk (mother, sister, daughter or wife) are at times in untoward condition or not sufficiently covered.

#### Indifference to rules of modesty:

Unfortunately in our modern times the Muslims are quite oblivious of the rules of modesty as enunciated in the Holy Qur'an and the Books of Tradition. This has made our society deprived of good values of morality which has resulted in lewdness and wide-spread immodesty.

#### Special permission necessary at specific times of day and night:

The high level of decency and modesty to which Islam wishes to raise its followers would be visible from the fact that, even in case of maid-servants, slaves and minor young boys, it has been considered necessary to bind them to seek permission at specific times for entry into the private chambers of their elders. Says the Holy Qur'an:

يَا أَيُّهَا الَّذِينَ آمَنُوا إِذَا بَلَغَتِ الْمَرْءُ مِنْكُمُ الْحُلُمَ فَلْيَسْأَلِ أَهْلَ بَيْتِهِ أَوْ نِسَاءَهُ أَوْ خَدَمَهُ لَعَلَّ يَسْمَعُوا رَبًّا يَوْمَ تَأْتِي سَأَلَكَ مَلَائِكَةُ الْمَوْتِ بِمَا كُنتَ تَعْمَلُ ۚ لَوْ كُنْتَ تَعْلَمُ أَنَّهُ قَدْ أُتِيَ بِكَ الْوَيْلُ ۚ



عَيْنُكَ وَرَدَّ عَلَيْهِمْ جُنَاحَ بَعْدَهُنَّ طَوَافُونَ عَلَيْكُمْ بَعْضُكُمْ  
عَلَى بَعْضٍ كَذَلِكَ يُبَيِّنُ اللَّهُ لَكُمْ آيَاتِهِ وَاللَّهُ عَلِيمٌ حَكِيمٌ

(نور - ٢٨)

"Believers, let your slaves and those who have not come of age ask your leave when they come in to see you on three occasions: before the morning prayer, when you have put off your garments in the heat of noon, and after the evening prayers. These are the three occasions of privacy. At other times it is wrong neither for you nor for them to go around (visiting) one another. Thus Allah makes plain to you His revelations. He is knowing, wise." (S-24 : V-59-60)

The above verses are quite thought-provoking. How natural are the injunctions of Islam and how perfect are its teachings to shape human beings into useful, decent citizens of the country. Before morning prayers when men and women half sleeping half awake, there is every possibility of some parts of the body remaining naked or half-naked. At noon time in extreme heat, it is natural to get rid of superfluous clothes and the standard of veil or screen recommended by Islam cannot be maintained at that time. Thirdly after evening prayers, when men and women are tired due to full days indoor and outdoor duties. That precisely is the time when every man or woman desire a kind of freedom from etiquette and formality in the matter of dress and an atmosphere of total privacy seems to be unavailable. On these occasions the persons mentioned in

the verses 59-60 of chapter 24 would do well to seek permission for entry.

#### Minor boys to seek permission on attaining majority:

Minor boys who were required to ask for leave during the specific times as specified in verses 59-60 of chapter 24 of the Holy Qur'an. On attaining majority the necessity of their seeking leave for entry has been extended to all times. The current custom in vogue in the Indo-Pakistan society is that boys who were admitted to private chamber during their minority are allowed to continue the practice even after they have attained puberty. This is highly objectionable and not commensurate with nature. The Holy Qur'an has corrected this anomaly in the following words:

وَإِذَا بَلَغَ الْوَحْلُ مِنْكُمْ الْحُلُمَ فَلْيَسْأَلُوا أَكْبَارًا مِّنَ الَّذِينَ  
مِن قَبْلِهِمْ كَذَلِكَ يُبَيِّنُ اللَّهُ لَكُمْ آيَاتِهِ وَاللَّهُ عَلِيمٌ حَكِيمٌ

(نور - ٢٨)

"And when they (minor boys) have reached the age of puberty, let your children still ask your leave as their elders do. Thus Allah makes plain to you His revelations. He is Wise, Knowing." (S-24: V-59)

Since the boys have become aware of sexual power after attaining puberty, they are to be treated as persons outside the pale of privacy. They must seek permission for entry as elderly persons do.

#### Parts of the body normally displayed:

In verse No: 31 of chapter 24 of the Holy Qur'an it is stated that:

“(believing women) are to cover their adornments except such as are normally displayed.” (S-24: V-31)

The parts of the body normally displayed are the face and the two hands. These are not strictly speaking “lawful concealments.” But it does not mean that they must be kept uncovered under all circumstances. The correct interpretation of the verse is that the normally displayed parts of the body are not necessarily to be kept open to public gaze even if there are dangers of immodest behaviour. However, the old women who have no hope of marriage may be exempt. Says the Holy Qur’an:

وَالْقَوَاعِدُ مِنَ النِّسَاءِ اللَّاتِي لَا يَرْجُونَ نِكَاحًا فَلَيْسَ عَلَيْهِنَّ جُنَاحٌ أَنْ يَضَعْنَ  
يُثْيَابَهُنَّ هُنَّ مَسْبُورَاتٍ بَيْنَ يَدَيْ رَبِّهِنَّ وَأَنْ يَسْتَعْفِفْنَ خَيْرٌ لَّهُنَّ وَاللَّهُ سَمِيعٌ عَلِيمٌ -  
(الرَّحْمَ)

“It shall be no offence for old spinsters who have no hope of marriage to discard their cloaks provided they do not reveal their adornments. Better if they abstain (from this) Allah hears all and knows all.” (S-24: V-60)

#### Spirit of the order is to conceal the face:

When the order for old spinsters is that it is better if they abstain from revealing their adornments, it would be all the more binding on young women to keep their faces under veil. Maulana Ashraf Ali Thanwi has explained the spirit of the Qur’anic injunction that face may not be “lawful concealment” under letters of the order. But it does not mean that the order urges upon the young women to display their faces unnecessarily, particularly when the social atmosphere is immodest and full of immoral etiquettes. The spirit of the order that young women must keep their faces

under veil and may uncover only under lawful necessities and the aged women may not put on veils but must exercise good discretion.

#### Ibn-e-Arabi writes:

“The Qur’anic injunction has specified old spinsters (who have no hope of marriage) for discarding cloaks because human psychology is such that men have no attraction for the aged group of females. But, if the aged women prefer to have full veil and concealment, it would be an act of piety.” The concealment of the female faces becomes necessary when we remember that God has placed an attraction in it and men with no sense of piety are likely to get drawn towards handsome women with results of turmoil and trouble.

#### Very fine clothes forbidden:

When the Divine injunction forbids revealing of “adornments” even by aged women, it naturally follows that young women may not put on very fine clothes which may betray the purpose of concealment. Ibn-e-Arabi says that “display of fineries” includes the wearing of very fine cloth which may betray the purpose of concealment. A Tradition of the Holy Prophet (ﷺ) has also been quoted. “Many a woman apparently clad in dress are in fact naked (due to the fineness of their dress). They get drawn to others and also attract others. They shall not enter Paradise nor shall they smell its fragrance.” The two words “Kasiat” and “Aariat” stand for “dressed” and “naked” and the use of the second word immediately after the first one is very significant. A fine cloth which does not conceal the body completely is unlawful.



Umme Alqama (رضي الله عنها) narrated that Hazrat Hafsa bin Abdul Rehman (رضي الله عنها) visited Hazrat Aisha (رضي الله عنها) and she was wearing very fine head gear which Hazrat Aisha (رضي الله عنها) took from her and tore into pieces. In place of it she gave her a sheet of coarse cloth to put on as head gear. Hazrat Hafsa (رضي الله عنها) was a niece of Hazrat Aisha (رضي الله عنها). Another event of like nature was narrated by Hazrat Aisha (رضي الله عنها) herself. Her own sister, Hazrat Asmaa (رضي الله عنها) visited her when the Holy Prophet (صلی اللہ علیہ وسلم) was sitting in the house. She was wearing very fine cloth on her head. The Holy Prophet (صلی اللہ علیہ وسلم) said to her: "O Asmaa! (رضي الله عنها) when a woman comes of age, it is not proper that her body may be seen by others except the face and the hands." In a Tradition of Muslim Sharif, the Holy Prophet (صلی اللہ علیہ وسلم) is reported to have said: "Take clothes on yourself and do not walkabout bare." All such instructions which were repeated time and again are intended to keep men and women nicely covered in proper clothes so that no part of their bodies is open to common gaze. Such etiquette is designed to guard the modes and chastity of Muslim women.

If the Muslim, social etiquettes as enjoined by God and Holy Prophet (صلی اللہ علیہ وسلم) are compared with the freedom loving men and women of western society, the abysmal, low level of their morals will be easily understood.

### Enemies of high moral values (Modesty and Chastity) in the Estimate of Islam:

Islam looks upon high moral values of man, his modesty, decency and chastity as the most precious commodities of this worldly life. The hard reality of worldly

life is that without high moral values, decency, modesty, gentleness, piety, righteousness, fear of God and chastity, there would be no peace and order in the world and this world becomes an enclosure of beasts and carnivorous animals. If there are no taboos and sanctions against rape, fornication, adultery and all moral evils, no social order of humanity could be maintained.

The history of mankind bears testimony to the fact flourishing and prosperous nations were compelled to face ruin and large-scale catastrophe when they gave up high moral values and their individual men and women sank into the depth of moral degeneration. A rigid law for the safeguard of modesty and chastity is human necessity.

### Defamation and slander punishable in Islam:

Islam has given no leniency in enforcement of laws designed to protect and guard the chastity and modesty of women. Rape and fornication are punishable with major punishments. But even defamation and slandering of innocent and honourable women is an offence duly punishable by God. Says the Holy Qur'an:

إِنَّ الَّذِينَ يَرْمُونَ الْمُحْصَنَاتِ الْغَافِلَاتِ لَعُنَ فِي الدُّنْيَا وَالْآخِرَةِ  
وَلَهُنَّ عَذَابٌ عَظِيمٌ يَوْمَ تَشْهَدُ عَلَىٰ هُنَّ أَيْدِيَهُنَّ وَأَرْجُلُهُنَّ  
بِمَا كَانُوا يَفْعَلُونَ يَوْمَ يَدْعِيهِمُ اللَّهُ يَوْمَ ذِي الْقُرْبَىٰ وَهُمْ أَلَمَ أَنْ اللَّهَ  
هُوَ الْحَقُّ الْمُبِينُ - (نور - ٢)

"Those who defame honourable and unaware believing women shall be cursed in this world and in the next. Their

shall be a woeful punishment on the day when their own tongues, hands and feet will testify to what they did. On that day, Allah will justly requite them. They shall know that Allah is the Glorious Truth." (S-24 : V-23-25)

The above verse is thought-provoking. The Divine wrath and the warning of woeful punishment are visible and alarming. Curse of God is said to overtake such defamers and slanderers in this world as well as in the life to come. The punishment for defamers of innocent women is clearly described in the Holy Qur'an:

وَالَّذِينَ يَزْمُونَ الْمُحْصَنَاتِ ثُمَّ لَا يَأْتُوا بِأَرْبَعَةِ شُهَدَاءَ  
فَالْجُنُودُ مَعَهُمْ قَتْلَانِ جُلْدًا وَلَا تَقْبَلُوا لَهُمْ شَهَادَةً  
أَبَدًا وَذَلِكَ هُوَ الْقَاسِىُونَ - (نور - ١)

"Those that defame honourable women and cannot produce four witnesses shall be given eighty lashes. And do not accept their testimony even after for they are great transgressors except those among them that afterwards repent and mend their ways. Allah is Forgiving, Merciful." (S-24 : V: 4-5)

This importance and the high value attached by Islam to feminine chastity is visible from the language and spirit of the above quoted verse which lays down three pronged punishment to a person who defames an honourable innocent Muslim women. Such a person is :

- i) punishable with eighty lashes;
- ii) his testimony shall not be accepted for his life time and
- iii) he has been condemned as a transgressor and disobedient person.

### Respect and honour of a Muslim:

A pious and righteous Muslim has very great value in Islam. His person, his property and his honour are all honourable and to be valued. In his sermon on the Last Pilgrimage, the Holy Prophet (ﷺ) emphasised among other things the high value of the person, property and aligntiy of a true Muslim. One of his Tradition says: "It is unlawful for any Muslim to violate the honour, the property or the blood of a Muslim."

The defamation of a Muslim falls under preview of the following verse of the Holy Qur'an:

إِنَّ الَّذِينَ يُحِبُّونَ أَنْ تَشِيعَ الْفَاحِشَةُ فِي الَّذِينَ آمَنُوا لَهُمْ عَذَابٌ  
أَلِيمٌ فِي الدُّنْيَا وَالْآخِرَةِ - (نور - ٢٤)

"Those who delight in spreading slanders against the faithful shall be sternly punished in this life and in the next. Allah knows, but you do not." (S-24 : V-19)

To accuse a Muslim of any moral sin requires careful mediation and the capacity to produce legal evidence of four eye-witnesses. When such evidence is not available, the safest course of action is to connive and pass over without adverse comments. Defamation or slander is not only unjust for the person involved but it is also likely to qualify the slanderers for legal punishment. It is also harmful for the society at large.

### Nature of punishment in Islam:

The principle of punishment in Islam lays down that the penalty for any crime (sin) should commensurate with the nature and apparent form of the crime. A thief steals with hands and Islamic penalty for that provides that hand which



stole must be chopped off. Dacoity involves hands as well as other powers of the body. As such, the penalty for decoity is the cutting off of one hand and one foot.

Islam provides two distinct kinds of penalty - the "Had" - or the penalty specified by God Himself and the "Ta'zeer" - or the penalty prescribed by the Islamic jurisprudence under common sense of human justice. the "Hudood" - or penalties specified under Divine Law include the penalties prescribed for theft, dacoity, drinking wine, rape, and fornication. Apparently the punishment for fornication should be removal of the sexual organ of the culprit. But, on deeper thought, the punishment of this nature would be much less than the nature of the crime. In fornication, the entire self of the culprit derives sexual pleasure and, as such, the commensurate punishment should be the implication of punishment on the entire body. Again the culprit may be married or un-married.

In case a culprit is married, the severity of the crime increases because a married man has lawful means of sexual satisfaction already available. As such, his penalty must be greater than the penalty of an unmarried culprit who commits adultery. Islam has as such, provided two distinct modes of punishment for each category of culprit.

#### Penalty of culprits of adultery/fornication:

The Holy Qur'an provides the Divine penalty for fornication:

الزَّانِيَةُ وَالزَّانِي فَاجْلِدُوا كُلَّ وَاحِدٍ مِنْهُمَا مِائَةً جَلْدَةً وَلَا تَأْخُذْكُمْ بِهِمَا رَأْفَةٌ فِي دِينِ اللَّهِ إِنْ كُنْتُمْ تُؤْمِنُونَ بِاللَّهِ وَالْيَوْمِ الْآخِرِ - (نور - ١)

"The adulterer and the adulteress shall each be given a hundred lashes. Let no pity for them detain you from obedience of Allah, if you truly believe in Allah and the Last Day: and let their punishment be witnessed by a number of believers." (S-24 :V-2)

The language of the order is majestic and forceful. No pity is to be shown to the culprit. The penalty is also to be openly publicised and a number of believers must watch the culprit being punished. The severity of the crime is such that an adulterer is considered to be beyond reform and he is forbidden from marrying a chaste and honourable woman. The Holy Qur'an lays down:

الزَّانِي لَا يَنْكِحُ الزَّانِيَةَ وَلَا الْمُشْرِكَةُ لَا يَنْكِحُ الْمُشْرِكَ  
مُشْرِكٌ - (نور - ١)

"The adulterer may marry only an adulteress or an idolateress, and the adulteress may marry only an adulterer or an idolater. True believers are forbidden such (marriages)." (S-24 : V-3)

The above injunction of God explains the heinousness of the crime of adultery which puts the criminal at the level of an idolater or idolateress.

#### The confinement for unchaste women:

The Islamic Law as announced in the Holy Qur'an provides for confinement of a women to the four walls of her house if her immodest and unchaste conduct has been proved. Her confinement is in the general interest of the society which may be rid of the bad influence which such a woman is capable of creating. The Holy Qur'an" lays down:

وَالَّذِي يَأْتِيَنَّ الْفَاحِشَةَ مِنْ نِسَائِهِمْ فَاسْتَشْهَدُوا عَلَيْهِنَ  
أَرْبَعَةً مِنْكُمْ فَإِنْ شَهِدُوا فَأَمْسِكُوهُنَّ فِي الْبُيُوتِ حَتَّى تَيَوَّمَكُنَّ  
الْمَوْتَ أَوْ يَجْعَلَ اللَّهُ لَهُنَّ سَبِيلًا (النساء - ٣)

If any of your woman commit fornication, call in four witnesses from among yourselves against them; if they testify to their guilty, confine them to their houses till death overtakes them or till Allah finds another way for them. (S-4 : V-15)

A large number of scholars consider that the punishment for an adulteress woman as specified above is no more valid or in practice. And, as such, they consider the above injunction as cancelled. But the idea of cancellation does not appear to be correct. The spirit of the order seems to be that, after meeting the penalty from adultery, the unchaste woman may be confined to her house so that the dangers of her further molestation are effectively checked. The spirit of the order of confinement seems to be that the sinful person may feel ashamed of their unchaste conduct and know it for certain that the society at large cannot tolerate it.

The penalty of hundred lashes is for the unmarried culprits. The lashes are to be inflicted on all parts of the body except the face or such other part of the body where the injury may be fatal.

#### Penalty of stoning to death:

The punishment for an adulterer or adulteress who is married is not hundred lashes. It is stoning such a person to death. The authenticity of this penal provision is available from the conduct of the Holy Prophet (ﷺ). Hazrat

Jabir bin Abdullah (رضي الله عنه) narrated that a man belonging to the Aslam Tribe came to the audience of the Holy Prophet (ﷺ) and confessed four times that he had been guilty of fornication. After his clear confession he was ordered to be stoned to death. Another similar case was narrated by Hazrat Abu Horairah (رضي الله عنه). He said: "A man came to the mosque in the audience of the Holy Prophet (ﷺ) and loudly said he had been guilty of fornication. He confessed his guilt four times in the audience of the Holy Prophet (ﷺ) who called him near and close to him and said: 'Are you insane?' He replied: 'No. O Prophet of Allah.' Then He (ﷺ) again asked him: 'Are you a married man?' He replied: 'yes.' Then the Holy Prophet (ﷺ) directed the companions: 'Take him along and stone him to death.'"

Yet another incident of punishment by stoning to death is available from the famous books of Hadith. Hazrat Ma'iz (رضي الله عنه), a companion of the Holy Prophet (ﷺ) personally came to the audience of the Holy Prophet (ﷺ) and confessed his guilt openly. when he confessed four times and the Holy Prophet (ﷺ) was convinced of his crime, he directed him to be stoned to death.

#### The authenticity of Rajam (stoning):

This is correct that there is no explicit mention of "Rajam" in the Holy Qur'an as a penalty prescribed for a married culprit of adultery. But, as quoted above, the explicit order of the Holy Prophet (ﷺ) and the precedents mentioned in the Books of Traditions go to



establish beyond a shadow of doubt that "Rajam" is authentic penalty under the Islamic Law.

Hazrat Farooq-e-Azam (رضي الله عنه), the second caliph of Islam, had expressed his fears that the penalty may not be questioned by Muslims after a long passage of time. He said: "I fear that, after passage of time, some people (among Muslims) may not argue that there is no mention of "Rajam" in the Holy Qur'an. In that case there is a possibility of the people going astray due to rejection of an obligatory punishment in Islam. Listen! The penalty for a married adulterer or adulteress is a "Rajam" (stoning to death) when culprit legal evidence is available with the count or when a culprit confesses his guilt."

The fears of Hazrat Umar (رضي الله عنه) were found to be correct. But the penalty has found its relevant place in the penal code of Islam and is even currently acceptable by Muslim Jurists.

#### The Modus operandi of "Rajam."

The Islamic Law of Shariat provides that a married man or a married woman, if proved to be guilty of fornication, shall be punished with the penalty of "Rajam" i.e., shall be stoned to death. In the case of a man culprit, he will be taken to an open ground when the judge of the Shariat Court and the witnessing - four in number - deposing against the culprit shall be present. If the confession is by the culprit without evidence of witnesses, the Administrator will start with the first stone to be thrown at the culprit. If the crime was proved after evidence, the witnesses will start with stoning. Thereafter the general assembly of on-lookers will join in stoning till the culprit is dead.

In the case of a female culprit, a pit will be dug out wherein the female culprit shall be stationed upto her lower half body. This is to avoid her private parts of the body becoming uncovered. The rest of the procedure for male culprit shall be undertaken.

#### Forced rape of a woman:

In case a woman is molested and subjected to rape under duress, she will not deserve the penalty under the following verse of the Holy Qur'an:

وَمَنْ يُكْرِهْهُنَّ فَإِنَّ اللَّهَ مِنْ بَيْنِ إِكْرَاهِهِنَّ وَخُفْرَةٍ  
رَاجِمٌ - (نساء - ١٢)

"You shall not force your slave-girls into prostitution in order that you may make money, if they wish to preserve their chastity. If any one compels them then surely after such compulsion, Allah will be forgiving, Merciful." S-24 : V-33)

Imam Bokhari has, after quoting the above verse in his Book of Tradition, narrated the following event: "A slave forcibly committed rape with a slave-girl and was taken before the Court of Hazrat Umar (رضي الله عنه) who punished the slave under the law and set the slave girl at liberty because she had been subjected to repression and had no intention of her own."

Another incident has been mentioned which belongs to the period of the Holy Prophet (صلی اللہ علیہ وسلم). A woman came out of her house for prayers in the mosque. A man met her on the way, caught hold of her person and committed

forced rape on her person. She cried and her loud shrieks attracted people to the spot. The adulterer was caught red-handed and brought to the audience of the Holy Prophet (ﷺ). On his confession, the Holy Prophet (ﷺ) gave orders for his "Rajam," and he was stoned to death. As for the woman, the Prophet (ﷺ) said to her: "You may go. Allah has forgiven you."

#### The case of an insane person:

An insane person will not be subjected to penalty for a sin because he belongs to the category of persons who are exempted from penalty. These persons are:

- i) mad or insane;
- ii) a sleeping person till he is awake;
- iii) a minor till he attains puberty.

Similarly the scholars of jurisprudence have decided that a person who has committed adultery under compulsion or duress shall not be liable to any punishment.

The importance of modesty and chastity has been fully brought out in the preceding pages of this book. The teachings of Islam aims at creation of a noble, decent, modest and chaste society which can be looked upon as a model for other societies who have not professed Islam. If the nations of the world who find moral degeneration, indecency and lewdness in their rank and file, they would do well to study the teachings of Islam and the Laws which endorse modesty and chastity at all levels of society.

### The curse of Sodomy and Homosexuality

It has been stated in the beginning of this book that Islam has forcefully prohibited the performance of sexual act in the back part of the body. Even one's Lawful wife cannot be persuaded to yield her hind lower part having hole between two buttocks. The injunction in the Holy Qur'an clarifies the position beyond all doubt:

نِسَاءَكُمْ حَرْثٌ لَكُمْ فَأْتُوا حَرْثَكُمْ أَنْ شِئْتُمْ - (البقرة - ٢٢٣)

"Women are your fields; go, then, into your fields as you please." (S-2 : V-223)

When you are called upon to go into your field, you are being asked to till the field for some harvest or fruit. You are going to sow so that at the appropriate time you will reap. Human semen is a seed for human offspring. It can bear fruit only in the womb of a women. As such, the dropping of the human semen in the buttocks hole of a woman (which is meant for stooling) is not only waste of precious human seed but is even enimical to the human race at large. Elsewhere the Holy Qur'an has stated:

فَاذْهَبِي مِنْ حَيْثُ أَمَرَكَ اللَّهُ - (البقرة - ٢٢٢)

"Go into your women where from God has ordered you to go." (S-2 : V-222)

Surely God has not allowed the use of back hole of a woman, much less of a man.

The legal position is further made clear by the sayings of the Holy Prophet (ﷺ) who is the Law giver. He said: "He who goes into a woman during her monthly course (menses) or goes into the back (buttocks) of a



woman or visits an astrologer, he has rejected the faith of Mohammad (ﷺ).” On another occasion, he (ﷺ) said “He who goes into the buttocks of a woman (back-hole) he has rejected the faith.”

There is consensus of opinion in the scholars of all schools of thought in Islam that Sodomy is absolutely forbidden in Islam even it be with one's lawful wife

### Homosexuality:

The nefarious act of a man getting sexual satisfaction with a man has been condemned by God and all His prophets. The act of Homosexuality in which a male has intercourse with a male, has a long history. This evil act was started in the human history by demizers of Sodom whom Prophet Lut (عليه السلام) vehemently forbade to do. This act was unknown to human imagination before the people of Lut (عليه السلام). Says the Holy Qur'an

وَلَا يَأْذَنُ لِلْزَوَّاجِ إِلَّا فِي بَنَاتِهِمْ أَنَّى أَتَاهُمْ أَلَمْ تَسْأَلْهُمْ يَوْمَئِذٍ  
تِيمَ الْغَابِغِينَ إِن كُنتُمْ تَعْلَمُونَ الرِّجَالُ شَهْوَةٌ ذُنُوبُ الرِّجَالِ  
بَلْ لَّا تَعْلَمُونَ قَوْمٌ مَّسْرِفُونَ . لا اعراف .

And (We sent) Lut, who said to his people. Will you persist in these indecent acts which no other nation has committed before you? You lust after men instead of women. Truly you are a degenerate people” (S-7 : V-80)

The evil of homosexuality among men started in the people of Prophet Lut (عليه السلام) in the city of Sodom. The degenerate people were far advanced in this cursed habit and were touching the high limits of arrogance. They had been left with no qualms of conscience and openly boasted

in their devilish indulgence. As put by God Almighty: “They were intoxicated in their blind pursuit.” They did not spare even male guests who ever visited their territory. When angels visited Prophet Lut (عليه السلام) in the guise of human beings, the sodomists made an effort to molest the handsome boys who were actually the angles who had brought Divine order of complete annihilation of the dirty people of Sodom. The Prophet of God, Hazrat Lut (عليه السلام) was so much un-nerved and scared of their evil intentions that he addressed the evil mongers in the following words:

“This is indeed a hard day of woe. My people, here are my daughters: they are more lawful to you. Have fear of Allah and do not humiliate me by (wronging) my guests. Is there not one good man among you?” They replied: “You know we have no need for your daughters. You know full well what we are seeking.” (S-11 : V-77-80)

When all good argument of Prophet Lut (عليه السلام) failed, the angels told him that they had come with a Divine decree and he need not fear them.

فَلَمَّا جَاءَ أَمْرُنَا جَعَلْنَا عَالِيَهَا شَاقِبًا وَآمَطَرْنَا عَلَيَهَا  
رِجَارًا مِنْ مَّجْجَلٍ مُنْصَوِّدٍ مُسَوِّمَةٍ عِنْدَ رَبِّكَ .

(هم-ع)

"And when our judgment came to pass, We laid them (their towns) upside down, and let loose upon them a shower of clay-stones heaving the tokens of Your Lord. And it is not far off from the wrong doers." (S-11 : V-82)

### **Homosexuality after the people of Sodom:**

The evil mongers of the people of Lut (عليه السلام) were totally annihilated. But the evil of homosexuality continued among the human being. This evil was there even before Jesus Christ. Among the prosperous nations of Greece and Rome, this evil was flourishing. Some people have mentioned the name of Socrates, Aristotle, Alexander the Great and Julius Caesar as being addicts of this evil.

In France, this evil of lust for males and homosexuality was rampant in the 13th century AD. In 1212 AD., a Law was promulgated declaring that penalty for homosexuality would be death. In the 14th and the 18th centuries AD., this evil was on the increase in France and Germany.

Before the Nazi period of Hitler in Germany, a German Doctor, Magnus Herfield who was chairman of the society for Sexual Reform, propagated for six years in favour of homosexuality. So much so that the German Parliament ruled with a majority of vote that lust with male persons was not a crime if mutual consent was available or in case of a minor boy, his guardian agreed to make him subject of rape.

In the oriental countries Persia has had a bad name for this evil. The Persian poetry is full of references regarding praises of male beauty and connected headings. In the city of Karachi there were reputed to be three centers in 1945 when handsome boys were professionally involved in this event.

In the western countries, the Kinsey report lays bare many facts about the popularity of homosexuality. In the Indo-Pakistan sub continent, educated and so-called civilized and prosperous people are reported to be addicts of homosexuality.

### **Views of Islam on Homosexuality:**

Along with many other moral evils, Islam has forcefully prohibited indulgence into this evil. The penalty prescribed for this sinful crime as hard and exemplary. The story of the degenerated people of Sodom has been mentioned in many places in the Holy Qur'an to make people aware of this great evil and how the people indulging in it earn the wrath of God and are totally annihilated under Divine decree. The Muslim people have been mentally prepared to dislike and hate this superb evil and to avoid it at all costs and discoverage its spread among Muslims. The penalty prescribed in the Holy Qur'an for the evil act is: "If two of your men indulge in male lust, give them painful punishment." The Holy Prophet (صلی اللہ علیہ وسلم) said: "I fear most the return of the evil act of the people of Lut among my followers." Once he (صلی اللہ علیہ وسلم) said: "Whoever indulges in male lust, Allah, the Exalted, will not look at him with grace and mercy."

### **An intelligent review of Homosexuality:**

The evil of male lust is the worst of human actions on the face of this Earth. Even beasts and animals do not indulge in it. Nature has given all created things an affinity for the opposite sex and we never see any deviation from this rule among animals, beasts or birds. But man, the best



of created beings, stoops to such a moral depth that he indulges in male lusts, depriving females of their right of co-habitation. Even the evil mongers of this cursed habit are facing all sorts of bitter results. They become victims of sexual diseases (and now Aids). Their physical organs and nervous system are diseased and they cannot perform the natural act of co-habitation with the females with the result that they cannot hope of having any children.

The addicts of this evil habit have to face life-long troubles and continue to move from this disease to that disease till death overtakes them and they leave for their eternal home of curses and torments. This habit takes a firm hold upon the nerves of its addicts that even in old age the subjects of this habit cannot get rid of it.

#### **Penalty for Homosexuality culprits:**

A psycho-analysis of a culprit of male lust would convince any body that such a man has reached the abysmal depth of human degeneration. He has lost the right to continue to live as a man. The penalty declared by the Holy Prophet (ﷺ) is as stated in a Hadith in Book of Traditions compiled by Imam Trimzi: "Whosoever you find involved in the performance of action which the people of Prophet Lut (عليه السلام) did, slay them both - the subject and the object.

Hafiz Ibnul Qayyim marked the above Hadith as authentic. Imam Ahmed has advanced the following argument in support of the nature of punishment. He said: "A culprit of homosexuality must be slain whether he is married or unmarried. The nature of this crime is such that it can under no circumstances be pardoned or the punishment

mitigated. This is unnatural and inhuman and has been considered to be worse than adultery. This view has been shared by most renowned companions of the Holy Prophet (ﷺ) like Hazrat Abu Bakr Siddiq (رضي الله عنه), Hazrat Ali (رضي الله عنه), Hazrat Khalid bin Waleed (رضي الله عنه), Hazrat Abdullah bin Zubair (رضي الله عنه), Hazrat Abdullah bin Abbas (رضي الله عنه), Khalid bin Zaid (رضي الله عنه), Abdullah bin Mua'mir (رضي الله عنه), Imam Zahri (رحمته الله), Rabia bin Abdul Rehman (رحمته الله), Imam Malik (رحمته الله), Ishaque bin Rehiyya (رحمته الله), Imam Ahmed bin Hanbal (رحمته الله) and Imam Shafi'i (رحمته الله).

Another class of jurists have argued that there is an apparent difference between adultery and homosexuality and, since no "Had" - (Divinely decreed punishment) has been fixed for male lust, the punishment may be decided by the Shariat Court which may be even more painful than the penalty for an adulterer the culprit may be trampled down by an elephant or may be thrown from a mountain to the ground or may be burnt to death. However, there is consensus of opinion that the culprit must be killed as he has lost all rights to continue to live. The penalty of death is based on the ruinous end which the people of Lut (عليه السلام) had faced under the Divine decree.

As regards the object of lust, his killing is equally justified because he has already faced his spiritual death.

#### **An event during the age of the Prophet's companions:**

Hazrat Khalid bin Waleed (رضي الله عنه) was informed that a man had become an addict of homosexuality and his nefarious act had gained publicity. Hazrat Khalid bin Waleed (رضي الله عنه) wrote about it to Hazrat Abu Bakr Siddiq



(رضي الله عنه) who was then the commander of the faithful. He called a meeting of his Advisers and put up the case before them for advice. Hazrat Ali (رضي الله عنه) opined that the evil action was like the evil action of people of Lut (عليه السلام) and the penalty should be of the nature of punishment met by those people under Divine order. He recommended that the culprit may be burnt to death. The proposed penalty was conveyed to Hazrat Khalid (رضي الله عنه) who got the culprit arrested and then he was burnt to death.

#### **Devices to avoid tendency to Homosexuality:**

Islam requires its adherents to avoid all such circumstances which may be conducive to build up such a cursed habit. The best course would be to avoid the company of handsome boys and always to refrain from casting a glance at their faces.

Hafiz Ibn Hajr has advised that sons of prosperous people are usually very handsome and they also have the means to wear beautiful dresses which can add to their graces. Such boys must be avoided and kept at a distance.

Sufyan Thauri said that, whereas there was one devil with a handsome woman but there were ten devils with a handsome under age boy. Imam Ahmed (رحمته الله) also prohibited the coming of under age boys in his audience such a boy is called "Amard" so long as his beard has not appeared. Professor Shami defined "lust" as the strong inclination of a man to do an act."

#### **Lying of two male persons in one bed forbidden:**

In order to avoid any inclination to this heinous act of homosexuality, the Holy Prophet (صلی اللہ علیہ وسلم) forbade the

lying of two men under one sheet of cloth. "One male person should not lie with another male person in one sheet of cloth." Shah Wali ullah of Delhi explained the above tradition and said that, when two men lie together side by side, there is an agitation in the sexual organs and a danger of involvement in homosexuality can arise.

Imam Razi (رحمته الله) has, on the basis of the above-quoted Hadith, stated that it is improper for two male persons to lie together despite their beds being side by side. Another Hadith of the Holy Prophet (صلی اللہ علیہ وسلم) explains the psychological aspect of this prohibition. He (صلی اللہ علیہ وسلم) said: "When your children are seven, order them to offer prayers; when they are ten, beat them if they do not offer prayers; and (at ten years of age), give them separate beds to sleep." This Hadith explains that at ten, sexual inclinations begin to develop in children.

In our troubled times when the atmosphere is full of such things which encourage sexual agitation, it is most essential for the Muslims to act upon the above sayings of the Holy Prophet (صلی اللہ علیہ وسلم).

It may be pointed out that it is unlawful to join the bodies of male persons without genuine need and the Holy Prophet (صلی اللہ علیہ وسلم) prohibited a male person to see the private part of another male person.

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Modesty and chastity are the ornaments of the crown of true humanity. This is a pearl, which if properly appreciated and valued, would uphold the dignity and prestige of humanity. An attitude of in-deference and ignorance of its value would debase the very foundation of human dignity and honour.

Realising the necessity Maulvi Muhammad Zafeeruddin has compiled, originally in Urdu, a detailed book on the subject.

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